

As Introduced

136th General Assembly

Regular Session

2025-2026

S. B. No. 57

Senator O'Brien

A BILL

To amend sections 9.16, 113.40, and 2981.12 and to 1
enact sections 135.146 and 5703.83 of the 2
Revised Code to authorize investment of state 3
funds in bitcoin, to require state entities to 4
accept payment in cryptocurrency, and to name 5
this act the Ohio Bitcoin Reserve Act. 6

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 9.16, 113.40, and 2981.12 be 7
amended and sections 135.146 and 5703.83 of the Revised Code be 8
enacted to read as follows: 9

Sec. 9.16. (A) As used in this section: 10

(1) "Governmental entity" means the state or a political 11
subdivision. 12

(2) "Political subdivision" has the same meaning as in 13
section 9.48 of the Revised Code. 14

(3) "State" has the same meaning as in section 2744.01 of 15
the Revised Code. 16

(B) A governmental entity may utilize distributed ledger 17
technology, including blockchain technology, in the exercise of 18

its authority. 19

(C) A governmental entity shall accept cryptocurrency, as 20
approved by the tax commissioner under section 5703.83 of the 21
Revised Code, for the payment of any tax, fee, cost, charge, 22
assessment, fine, or other payment of expense owed to the 23
governmental entity. The governmental entity may require the 24
payer to pay any service fees associated with the cryptocurrency 25
transaction. 26

(D) Upon receiving cryptocurrency as payment under 27
division (C) of this section, the governmental entity shall 28
transfer the cryptocurrency to the treasurer of state for 29
investment in accordance with section 135.146 of the Revised 30
Code. The treasurer of state shall reimburse the governmental 31
entity for the value of the cryptocurrency in United States 32
dollars from the Ohio bitcoin investment fund. If the 33
unencumbered balance of the Ohio bitcoin investment fund is 34
insufficient to reimburse the governmental entity, the director 35
of budget and management shall reimburse the remainder from the 36
general revenue fund. 37

Sec. 113.40. (A) As used in this section: 38

(1) "Financial transaction device" includes a credit card, 39
debit card, charge card, prepaid or stored value card, 40
cryptocurrency, or automated clearinghouse network credit, 41
debit, or e-check entry that includes, but is not limited to, 42
accounts receivable and internet-initiated, point of purchase, 43
and telephone-initiated applications, or any other device or 44
method for making an electronic payment or transfer of funds. 45

(2) "State expenses" includes fees, costs, taxes, 46
assessments, fines, penalties, payments, or any other expense a 47

person owes to a state office under the authority of a state elected official or to a state entity.	48 49
(3) "State elected official" means the governor, lieutenant governor, attorney general, secretary of state, treasurer of state, and auditor of state.	50 51 52
(4) "State entity" includes any state department, agency, board, or commission that deposits funds into the state treasury.	53 54 55
(B) Notwithstanding any other section of the Revised Code and subject to division (D) of this section, the board of deposit may adopt a resolution authorizing the acceptance of payments by financial transaction device to pay for state expenses. The resolution shall include all of the following:	56 57 58 59 60
(1) A designation of those state elected officials and state entities authorized to accept payments by financial transaction device;	61 62 63
(2) A list of state expenses that may be paid by the use of a financial transaction device;	64 65
(3) Specific identification of financial transaction devices that a state elected official or state entity may authorize as acceptable means of payment for state expenses. Division (B) (3) of this section does not require that the same financial transaction devices be accepted for the payment of different types of state expenses.	66 67 68 69 70 71
(4) The amount, if any, authorized as a surcharge or convenience fee under division (E) of this section for persons using a financial transaction device. Division (B) (4) of this section does not require that the same surcharges or convenience fees be applied to the payment of different types of state	72 73 74 75 76

expenses. 77

(5) A specific requirement, as provided in division (G) of 78
this section, for the payment of a penalty if a payment made by 79
means of a financial transaction device is returned or 80
dishonored for any reason. 81

The board of deposit's resolution also shall designate the 82
treasurer of state as the administrative agent to solicit 83
proposals, within guidelines established by the board of deposit 84
in the resolution and in compliance with the procedures provided 85
in division (C) of this section, from financial institutions, 86
issuers of financial transaction devices, and processors of 87
financial transaction devices; to make recommendations about 88
those proposals to the state elected officials; and to assist 89
state offices in implementing the state's financial transaction 90
device acceptance and processing program. 91

(C) The administrative agent shall follow the procedures 92
provided in this division whenever it plans to contract with 93
financial institutions, issuers of financial transaction 94
devices, or processors of financial transaction devices for the 95
purposes of this section. The administrative agent shall request 96
proposals from at least three financial institutions, issuers of 97
financial transaction devices, or processors of financial 98
transaction devices, as appropriate in accordance with the 99
resolution adopted under division (B) of this section. Prior to 100
sending any financial institution, issuer, or processor a copy 101
of any such request, the administrative agent shall advertise 102
its intent to request proposals for two consecutive weeks by 103
electronic publication on a state agency web site made available 104
to the general public. The notice shall state that the 105
administrative agent intends to request proposals; specify the 106

purpose of the request; indicate the date, which shall be at 107
least ten days after the publication, on which the request for 108
proposals will be electronically mailed to financial 109
institutions, issuers, or processors; and require that any 110
financial institution, issuer, or processor, whichever is 111
appropriate, interested in receiving the request for proposals 112
submit written notice of this interest to the administrative 113
agent not later than the day on which the request for proposals 114
will be electronically mailed. 115

Upon receiving the proposals, the administrative agent 116
shall review them and make a recommendation to the board of 117
deposit regarding which proposals to accept. The board of 118
deposit shall consider the agent's recommendation and review all 119
proposals submitted, and then may choose to contract with any or 120
all of the entities submitting proposals, as appropriate. The 121
board of deposit shall provide any financial institution, 122
issuer, or processor that submitted a proposal, but with which 123
the board does not enter into a contract, notice that its 124
proposal is rejected. 125

(D) The board of deposit shall send a copy of the 126
resolution adopted under division (B) of this section to each 127
state elected official and state entity authorized to accept 128
payments for state expenses by financial transaction device. 129
After receiving the resolution and before accepting such 130
payments by financial transaction device, such a state elected 131
official or state entity shall provide written notification to 132
the administrative agent of the official's or entity's intent to 133
implement the resolution within the official's or entity's 134
office. Each state office or entity subject to the board's 135
resolution adopted under division (B) of this section shall use 136
only the financial institutions, issuers of financial 137

transaction devices, and processors of financial transaction devices with which the board of deposit contracts, and each such office or entity is subject to the terms of those contracts.	138 139 140
If a state entity under the authority of a state elected official is directly responsible for collecting one or more state expenses and the state elected official determines not to accept payments by financial transaction device for one or more of those expenses, the office is not required to accept payments by financial transaction device for those expenses, notwithstanding the adoption of a resolution by the board of deposit under division (B) of this section.	141 142 143 144 145 146 147 148
(E) The board of deposit may establish a surcharge or convenience fee that may be imposed upon a person making payment by a financial transaction device. The surcharge or convenience fee shall not be imposed unless authorized or otherwise permitted by the rules prescribed under a contract, between the financial institution, issuer, or processor and the administrative agent, governing the use and acceptance of the financial transaction device.	149 150 151 152 153 154 155 156
The establishment of a surcharge or convenience fee shall follow the guidelines of the financial institution, issuer of financial transaction devices, or processor of financial transaction devices with which the board of deposit contracts.	157 158 159 160
If a surcharge or convenience fee is imposed, every state entity accepting payment by a financial transaction device, regardless of whether that entity is subject to a resolution adopted by the board of deposit, shall clearly post a notice in the entity's office, and shall notify each person making a payment by such a device, about the surcharge or fee. Notice to each person making a payment shall be provided regardless of the	161 162 163 164 165 166 167

medium used to make the payment and in a manner appropriate to 168
that medium. Each notice shall include all of the following: 169

(1) A statement that there is a surcharge or convenience 170
fee for using a financial transaction device; 171

(2) The total amount of the charge or fee expressed in 172
dollars and cents for each transaction, or the rate of the 173
charge or fee expressed as a percentage of the total amount of 174
the transaction, whichever is applicable; 175

(3) A clear statement that the surcharge or convenience 176
fee is nonrefundable. 177

(F) If a person elects to make a payment by a financial 178
transaction device and a surcharge or convenience fee is 179
imposed, the payment of the surcharge or convenience fee is not 180
refundable. 181

(G) If a person makes payment by a financial transaction 182
device and the payment is returned or dishonored for any reason, 183
the person is liable to the state for the state expense and any 184
reimbursable costs for collection, including banking charges, 185
legal fees, or other expenses incurred by the state in 186
collecting the returned or dishonored payment. The remedies and 187
procedures provided in this section are in addition to any other 188
available civil or criminal remedies provided by law. 189

(H) No person making any payment by a financial 190
transaction device to a state office shall be relieved from 191
liability for the underlying obligation, except to the extent 192
that the state realizes final payment of the underlying 193
obligation in cash or its equivalent. If final payment is not 194
made by the financial transaction device issuer or other 195
guarantor of payment in the transaction, the underlying 196

obligation survives and the state shall retain all remedies for
enforcement that would have applied if the transaction had not
occurred. 197
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(I) A state entity or employee who accepts a financial
transaction device payment in accordance with this section and
any applicable state or local policies or rules is immune from
personal liability for the final collection of such payments as
specified in section 9.87 of the Revised Code. 200
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(J) If the board of deposit determines that it is
necessary and in the state's best interest to contract with an
additional entity subsequent to the contract award made under
division (C) of this section, the board may meet and choose to
contract with one or more additional entities for the remainder
of the period previously established by a contract award made
under division (C) of this section. 205
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(K) (1) A state entity that accepts cryptocurrency as
payment of state expenses shall convert the cryptocurrency to an
equivalent value of bitcoin, as defined in section 135.146 of
the Revised Code, and transfer the bitcoin to the credit of the
Ohio bitcoin reserve fund. 212
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(2) The treasurer of state shall compensate a state entity
for the bitcoin in an equivalent value of United States dollars
of the bitcoin received. 217
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(L) The administrative agent, in cooperation with the
office of budget and management, may adopt, amend, and rescind
rules in accordance with section 111.15 of the Revised Code to
implement and administer this section. 220
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Sec. 135.146. (A) As used in this section: 224

(1) "Bitcoin" means the decentralized digital asset 225

<u>created by a peer-to-peer network, which operates with no central authority or banks.</u>	226
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<u>(2) "Donor" means a resident of this state who gifts, grants, donates, bequests, or devises bitcoin to the Ohio bitcoin reserve fund.</u>	228
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<u>(3) "Private key" means a unique element of cryptographic data used for signing transactions on a blockchain that is known to the owner of the unique element.</u>	231
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<u>(4) "Political subdivision" has the same meaning as in section 2744.01 of the Revised Code.</u>	234
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<u>(5) "Secure custody solution" means a technological product or blended product and service that has all of the following characteristics:</u>	236
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<u>(a) The private keys that secure digital assets are exclusively known to, and accessible by, the government entity.</u>	239
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<u>(b) The private keys that secure digital assets are exclusively contained within an encrypted environment and are accessible only via end-to-end encrypted channels.</u>	241
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<u>(c) The private keys that secure digital assets are not at any time contained by, accessible by, or controllable via a smartphone or any other unauthorized electronic means.</u>	244
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<u>(d) Any hardware that contains the private keys that secure digital assets is maintained in at least two geographically diversified locations.</u>	247
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<u>(e) The secure custody solution enforces a multi-party governance structure for authorizing transactions, enforces user access controls, and logs all user-initiated actions.</u>	250
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<u>(f) The provider of the secure custody solution has implemented a disaster recovery protocol that ensures customer access to digital assets in the event the provider becomes unavailable.</u>	253 254 255 256
<u>(g) The secure custody solution undergoes regular code audits and penetration testing from audit firms, and any identified vulnerabilities are promptly remedied.</u>	257 258 259
<u>(6) "Qualified custodian" means any federal or state-chartered bank, trust company, or a company regulated by the state that has custody of bitcoin.</u>	260 261 262
<u>(B) The Ohio bitcoin reserve fund is created in the state treasury. The fund shall consist of amounts transferred to it pursuant to section 2981.12 of the Revised Code and by acts of the general assembly. The treasurer of state shall administer the Ohio bitcoin reserve fund in accordance with the requirements of this section.</u>	263 264 265 266 267 268
<u>(C) The treasurer of state may use the interim money of the state and amounts deposited to the Ohio bitcoin reserve fund to acquire bitcoin as an investment. The treasurer of state shall hold bitcoin acquired under this section for at least five years following the date that the bitcoin enters the state's custody. After the five-year holding period, the treasurer of state may transfer, sell, appropriate, or convert the bitcoin to another cryptocurrency.</u>	269 270 271 272 273 274 275 276
<u>(D) Any bitcoin acquired as an investment under this section must be held using a secure custody solution by either the treasurer of state or a qualified custodian.</u>	277 278 279
<u>(E) The treasurer of state may accept gifts, grants, and donations of bitcoin from any of the following:</u>	280 281

<u>(1) A resident of this state;</u>	282
<u>(2) The state, a political subdivision, or an agency or instrumentality of the state or a political subdivision;</u>	283
<u>(3) A state institution of higher education, as defined in section 3345.011 of the Revised Code.</u>	285
<u>(F) The treasurer of state shall develop a process by which donors may contribute bitcoin to the Ohio bitcoin reserve fund. Upon request, the treasurer of state may issue a certificate of acknowledgement to a donor. The treasurer of state may also establish a recognition program to publicly honor significant contributions made to the fund by donors.</u>	287
<u>(G) (1) The treasurer of state shall prepare a biennial report that includes all of the following information:</u>	293
<u>(a) The total amount of bitcoin held by the state as an investment under this section;</u>	295
<u>(b) The equivalent value of the bitcoin expressed in United States dollars;</u>	297
<u>(c) The net change in amount and value reported under divisions (G) (1) (a) and (b) of this section since the last report;</u>	299
<u>(d) Any transactions or expenditures related to this section since the previous report;</u>	302
<u>(e) Any security threats experienced in administering this section since the previous report.</u>	304
<u>(2) Not later than the thirty-first day of December of each even-numbered year, the treasurer of state shall electronically publish the report on the treasurer of state's</u>	306
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web site and notify the general assembly that the report is 309
available. 310

(H) The treasurer of state may adopt rules in accordance 311
with Chapter 119. of the Revised Code to administer this 312
section, including rules concerning security protocols, 313
reporting standards, donation procedures, and a process for 314
returning bitcoin contributed by any person or entity other than 315
those described in division (E) of this section. 316

Sec. 2981.12. (A) Unclaimed or forfeited property in the 317
custody of a law enforcement agency, other than property 318
described in division (A) (2) of section 2981.11 of the Revised 319
Code, shall be disposed of by order of any court of record that 320
has territorial jurisdiction over the political subdivision that 321
employs the law enforcement agency, as follows: 322

(1) Drugs shall be disposed of pursuant to section 3719.11 323
of the Revised Code or placed in the custody of the secretary of 324
the treasury of the United States for disposal or use for 325
medical or scientific purposes under applicable federal law. 326

(2) Firearms and dangerous ordnance suitable for police 327
work may be given to a law enforcement agency for that purpose. 328
Firearms suitable for sporting use or as museum pieces or 329
collectors' items may be sold at public auction pursuant to 330
division (B) of this section. The agency may sell other firearms 331
and dangerous ordnance to a federally licensed firearms dealer 332
in a manner that the court considers proper. The agency shall 333
destroy any firearms or dangerous ordnance not given to a law 334
enforcement agency or sold or shall send them to the bureau of 335
criminal identification and investigation for destruction by the 336
bureau. 337

(3) Obscene materials shall be destroyed.	338
(4) Beer, intoxicating liquor, or alcohol seized from a person who does not hold a permit issued under Chapters 4301. and 4303. of the Revised Code or otherwise forfeited to the state for an offense under section 4301.45 or 4301.53 of the Revised Code shall be sold by the division of liquor control if the division determines that it is fit for sale or shall be placed in the custody of the investigations unit in the department of public safety and be used for training relating to law enforcement activities. The department, with the assistance of the division of liquor control, shall adopt rules in accordance with Chapter 119. of the Revised Code to provide for the distribution to state or local law enforcement agencies upon their request. If any tax imposed under Title XLIII of the Revised Code has not been paid in relation to the beer, intoxicating liquor, or alcohol, any moneys acquired from the sale shall first be used to pay the tax. All other money collected under this division shall be paid into the state treasury. Any beer, intoxicating liquor, or alcohol that the division determines to be unfit for sale shall be destroyed.	339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357
(5) Money received by an inmate of a correctional institution from an unauthorized source or in an unauthorized manner shall be returned to the sender, if known, or deposited in the inmates' industrial and entertainment fund of the institution if the sender is not known.	358 359 360 361 362
(6) (a) Any mobile instrumentality forfeited under this chapter may be given to the law enforcement agency that initially seized the mobile instrumentality for use in performing its duties, if the agency wants the mobile instrumentality. The agency shall take the mobile	363 364 365 366 367

instrumentality subject to any security interest or lien on the 368
mobile instrumentality. 369

(b) Vehicles and vehicle parts forfeited under sections 370
4549.61 to 4549.63 of the Revised Code may be given to a law 371
enforcement agency for use in performing its duties. Those parts 372
may be incorporated into any other official vehicle. Parts that 373
do not bear vehicle identification numbers or derivatives of 374
them may be sold or disposed of as provided by rules of the 375
director of public safety. Parts from which a vehicle 376
identification number or derivative of it has been removed, 377
defaced, covered, altered, or destroyed and that are not 378
suitable for police work or incorporation into an official 379
vehicle shall be destroyed and sold as junk or scrap. 380

(7) Computers, computer networks, computer systems, and 381
computer software suitable for police work may be given to a law 382
enforcement agency for that purpose or disposed of under 383
division (B) of this section. 384

(8) Money seized in connection with a violation of section 385
2905.32, 2907.21, or 2907.22 of the Revised Code shall be 386
deposited in the victims of human trafficking fund created by 387
section 5101.87 of the Revised Code. 388

(9) Bitcoin, as defined in section 135.146 of the Revised 389
Code, may be transferred to the Ohio bitcoin reserve fund 390
created in section 131.62 of the Revised Code or disposed of 391
under division (B) of this section. 392

(B) Unclaimed or forfeited property that is not described 393
in division (A) of this section or division (A)(2) of section 394
2981.11 of the Revised Code, with court approval, may be used by 395
the law enforcement agency in possession of it. If it is not 396

used by the agency, it may be sold without appraisal at a public 397
auction to the highest bidder for cash or disposed of in another 398
manner that the court considers proper. 399

(C) Except as provided in divisions (A) and (F) of this 400
section and after compliance with division (D) of this section 401
when applicable, any moneys acquired from the sale of property 402
disposed of pursuant to this section shall be placed in the 403
general revenue fund of the state, or the general fund of the 404
county, the township, or the municipal corporation of which the 405
law enforcement agency involved is an agency. 406

(D) If the property was in the possession of the law 407
enforcement agency in relation to a delinquent child proceeding 408
in a juvenile court, ten per cent of any moneys acquired from 409
the sale of property disposed of under this section shall be 410
applied to one or more community addiction services providers, 411
as defined in section 5119.01 of the Revised Code. A juvenile 412
court shall not specify a services provider, except as provided 413
in this division, unless the services provider is in the same 414
county as the court or in a contiguous county. If no services 415
provider is located in any of those counties, the juvenile court 416
may specify a services provider anywhere in Ohio. The remaining 417
ninety per cent of the proceeds or cash shall be applied as 418
provided in division (C) of this section. 419

Each services provider that receives in any calendar year 420
forfeited money under this division shall file an annual report 421
for that year with the attorney general and with the court of 422
common pleas and board of county commissioners of the county in 423
which the services provider is located and of any other county 424
from which the services provider received forfeited money. The 425
services provider shall file the report on or before the first 426

day of March in the calendar year following the calendar year in 427
which the services provider received the money. The report shall 428
include statistics on the number of persons the services 429
provider served, identify the types of treatment services it 430
provided to them, and include a specific accounting of the 431
purposes for which it used the money so received. No information 432
contained in the report shall identify, or enable a person to 433
determine the identity of, any person served by the services 434
provider. 435

(E) Each community addiction services provider that 436
receives in any calendar year money under this section or under 437
section 2981.13 of the Revised Code as the result of a juvenile 438
forfeiture order shall file an annual report for that calendar 439
year with the attorney general and with the court of common 440
pleas and board of county commissioners of the county in which 441
the services provider is located and of any other county from 442
which the services provider received the money. The services 443
provider shall file the report on or before the first day of 444
March in the calendar year following the year in which the 445
services provider received the money. The report shall include 446
statistics on the number of persons served with the money, 447
identify the types of treatment services provided, and 448
specifically account for how the money was used. No information 449
in the report shall identify or enable a person to determine the 450
identity of anyone served by the services provider. 451

As used in this division, "juvenile-related forfeiture 452
order" means any forfeiture order issued by a juvenile court 453
under section 2981.04 or 2981.05 of the Revised Code and any 454
disposal of property ordered by a court under section 2981.11 of 455
the Revised Code regarding property that was in the possession 456
of a law enforcement agency in relation to a delinquent child 457

proceeding in a juvenile court. 458

(F) Each board of county commissioners that recognizes a 459
citizens' reward program under section 9.92 of the Revised Code 460
shall notify each law enforcement agency of that county and of a 461
township or municipal corporation wholly located in that county 462
of the recognition by filing a copy of its resolution conferring 463
that recognition with each of those agencies. When the board 464
recognizes a citizens' reward program and the county includes a 465
part, but not all, of the territory of a municipal corporation, 466
the board shall so notify the law enforcement agency of that 467
municipal corporation of the recognition of the citizens' reward 468
program only if the county contains the highest percentage of 469
the municipal corporation's population. 470

Upon being so notified, each law enforcement agency shall 471
pay twenty-five per cent of any forfeited proceeds or cash 472
derived from each sale of property disposed of pursuant to this 473
section to the citizens' reward program for use exclusively to 474
pay rewards. No part of the funds may be used to pay expenses 475
associated with the program. If a citizens' reward program that 476
operates in more than one county or in another state in addition 477
to this state receives funds under this section, the funds shall 478
be used to pay rewards only for tips and information to law 479
enforcement agencies concerning offenses committed in the county 480
from which the funds were received. 481

Receiving funds under this section or section 2981.11 of 482
the Revised Code does not make the citizens' reward program a 483
governmental unit or public office for purposes of section 484
149.43 of the Revised Code. 485

(G) Any property forfeited under this chapter shall not be 486
used to pay any fine imposed upon a person who is convicted of 487

or pleads guilty to an underlying criminal offense or a 488
different offense arising out of the same facts and 489
circumstances. 490

(H) Any moneys acquired from the sale of personal effects, 491
tools, or other property seized because the personal effects, 492
tools, or other property were used in the commission of a 493
violation of section 2905.32, 2907.21, or 2907.22 of the Revised 494
Code or derived from the proceeds of the commission of a 495
violation of section 2905.32, 2907.21, or 2907.22 of the Revised 496
Code and disposed of pursuant to this section shall be placed in 497
the victims of human trafficking fund created by section 5101.87 498
of the Revised Code. 499

Sec. 5703.83. (A) As used in this section, 500
"cryptocurrency" means a digital representation of value that 501
functions as a medium of exchange, unit of account, or store of 502
value, which may be bought, sold, or traded securely, in which 503
the generation of units is regulated, transactions are verified, 504
and records are maintained by a decentralized system using 505
cryptography, such as blockchain or similar distributed ledger 506
technology, and for which there is a reasonable expectation that 507
it will maintain a stable value relative to a fixed amount of 508
monetary value. "Cryptocurrency" does not include a national 509
currency. 510

(B) The tax commissioner, on or before the thirtieth day 511
of June of each year, shall approve and publish on the 512
department of taxation's web site a list of cryptocurrencies 513
acceptable for the payment of any tax, fee, cost, charge, 514
assessment, fine, or other payment of expense under section 9.16 515
of the Revised Code. 516

Section 2. That existing sections 9.16, 113.40, and 517

2981.12 of the Revised Code are hereby repealed.

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Section 3. This act shall be known as the Ohio Bitcoin Reserve Act.

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