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Bill Analysis

Legislative Service Commission

H.B. 36

123rd General Assembly
(As Introduced)

Reps. Taylor, Harris, Van Vyven

BILL SUMMARY

- Creates a program under the Office of Criminal Justice Services to reimburse municipal corporations and townships with populations of 5,000 or less for all or a portion of the costs of tests related to the investigation or prosecution of criminal offenses.
- Makes an appropriation.

CONTENT AND OPERATION

The bill creates a state program to reimburse municipal corporations and townships with populations of 5,000 or less for all or a portion of the costs of criminal justice-related testing performed by or at the request of the municipal or township law enforcement agency. The program covers any test that is required or authorized by law in relation to the investigation or prosecution of any criminal offense committed in violation of a state law, municipal ordinance, or township resolution. The bill specifies that reimbursable tests include, but are not limited to, (1) those performed on a person arrested for any of a list of specified sex offenses to determine whether the person suffers from a venereal disease or is a carrier of a virus that causes AIDS (R.C. 2907.27 and 2907.28, not in the bill), and (2) those performed for the purpose of determining the alcohol or drug content of a person's blood, breath, or urine under the OMVI Law (R.C. 4511.191, not in the bill). (R.C. 181.51(I).)

Reimbursements are to be paid from the Local Law Enforcement Assistance Fund, which the bill creates in the state treasury. The fund is to consist of money appropriated to it by the General Assembly, and its investment earnings are to be credited to it. The Office of Criminal Justice Services is required to adopt rules governing the administration of the fund. The bill includes a \$25 million General Revenue Fund appropriation for fiscal year 2001 for the purposes of the Local Law Enforcement Assistance Fund. (R.C. 181.521(A); Section 3.)

Municipal corporations and townships that have populations not exceeding 5,000 and that pay costs of criminal justice-related testing can apply to the Office of Criminal Justice Services for reimbursement. Reimbursement payments are made on an annual basis, with applications for testing performed during a calendar year due by January 31 of the following year. The application is to include a specific description of each test for which reimbursement is sought; the date, location, and purpose of each test; the cost for which reimbursement is sought; and any other information required by the Office. (R.C. 181.52 and 181.521(B)(1).)

The Office is required to review all the applications, and to apportion the money in the Local Law Enforcement Assistance Fund among the applicants. The apportionment applies to money contained in the fund as of March 1 of the year the applications are received, and payments are to be made to the municipal corporations and townships by March 31 that year. The amount of the payment to a municipal corporation or township cannot exceed the actual costs of testing as reported on the municipal corporation's or township's application. Any money left in the Local Law Enforcement Assistance Fund after an annual apportionment is completed must remain in the fund and be included in the next year's allocation. (R.C. 181.521(B)(2) and (C).)

The bill provides that a municipal corporation or township that receives a payment from the Local Law Enforcement Assistance Fund can use the money only to defray its actual costs for criminal justice-related testing as reported on its reimbursement application. (R.C. 181.521(B)(3).)

HISTORY

ACTION	DATE	JOURNAL ENTRY
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