

- The Attorney General may experience minimal expenditure increases for reviewing cases and forwarding documents, reimbursing members of the special commission for related costs, and notifying a public official of suspension filing requirements.
- The Joint Legislative Ethics Committee may experience minimal increases to update and file financial disclosure statements for former state elected officers and staff members for 24 months after they leave public employment.
- Various state agencies may experience a minimal increase to provide financial disclosure forms to former state elected officers or staff members.

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 2005	FY 2006	FUTURE YEARS
Counties and Municipalities (Courts)			
Revenues	Potential gain	Potential gain	Potential gain
Expenditures	Potential increase	Potential increase	Potential increase
Other Political Subdivisions			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	Potential increase	Potential increase	Potential increase

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- Local courts, which are funded by counties and municipalities, may experience an increase in expenditures to adjudicate civil actions filed by political subdivisions to recover the amount of compensation paid to the public official during his or her suspension. Costs to the courts may be offset by court fees. The Supreme Court would not experience any fiscal effect for review of cases regarding suspension appeal.
- Local prosecuting attorneys employed by political subdivisions may experience expenditure increases for reviewing cases, forwarding documents, and replacing and compensating an appointed official. Costs to compensate a replacement official may be in the thousands or tens of thousands of dollars per political subdivision. The compensation paid to a former official who was suspended and who is found guilty of a felony could be recovered by the political subdivision by filing a civil action in court. If the political subdivision is successful in recovering the compensation, its cost could be lowered as a result.

Detailed Fiscal Analysis

State fiscal effects

The Attorney General

The Attorney General's office (AGO) may experience minimal costs for determining if felony charges relate to the public official's administration of, or conduct in, the performance of his or her duties, and transmitting copies of the charging documents to the Chief Justice of the Supreme Court and to the prosecuting attorney of the county in which the public official holds office. The AGO may also experience minimal cost to notify a public official of written statement requirements regarding a voluntary suspension or suspension disapproval.

When the Chief Justice of the Supreme Court receives the charging documents from the AGO or a prosecuting attorney, he or she shall establish a special commission to review the charging documents. The bill requires the AGO to compensate the members of the commission for their expenses and reimburse the members for any expenses incurred in connection with the special commission's functions. At this time the actual costs the commission may incur and the amount of reimbursement by the AGO is unknown.

Joint Legislative Ethics Committee

The Joint Legislative Ethics Committee (JLEC) may experience expenditure increases to update and file financial disclosure statements and investigate associated violations for former state elected officers and staff members for 24 months after they leave public employment. The JLEC may collect a filing fee of \$10 and charge a late filing fee up to \$100 for statements that describe the income received from executive agency lobbyists or legislative agents (and possibly their employers), and certain entities, associations, or businesses (with conditions that apply). The JLEC will not collect a filing fee for the initial statement described in the bill that states whether the former state elected officer or staff member will or will not receive any income from the aforementioned sources. At this point it is unknown how many disclosure statements the JLEC may file within a 24-month period. Any expenditures increases to the JLEC are likely to be covered by the filing fees.

Local fiscal effects

Prosecuting attorneys

Local prosecuting attorneys may experience costs for determining if felony charges relate to the public official's administration of, or conduct in, the performance of his or her duties, and transmitting copies of the charging documents to the Attorney General and Chief Justice of the Supreme Court. A prosecuting attorney may also experience minimal cost to notify a public official of written statement requirements regarding a voluntary suspension or suspension disapproval.

Public official compensation

Political subdivisions may also experience expenditure increases for replacing and compensating a replacement public official (at the same rate of pay as the suspended official). Compensation costs would depend on the office, the local government, and duration of the official's replacement. If a replacement official were in office for several months, compensation costs could be in the thousands or tens of thousands of dollars per political subdivision. A political subdivision may file a civil action to recover compensation paid to an official during his or her suspension. The amount awarded may or may not cover all of the compensation paid by the political subdivision. Costs to local courts for adjudicating these civil actions may be offset by court fees.

Courts

Local courts may experience an increase in expenditures to adjudicate civil actions filed by political subdivisions to recover the amount of compensation paid to the public official during his or her hire suspension. Any cost to local courts may be offset by court fees. The Ohio Judicial Conference reports that if a public official appeals the special commission's decision to the Supreme Court, the bill would have no fiscal impact on the Supreme Court since the suspension of public officials is not likely to occur frequently. Also, any cost for case reviews would be incorporate into ongoing daily operation expenses.

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