

Fiscal Note & Local Impact Statement

122nd General Assembly of Ohio

BILL:	Am. H.B. 18	DATE:	May 21, 1997
STATUS:	As Passed by the House	SPONSOR:	Rep. Taylor
LOCAL IMPACT STATEMENT REQUIRED:	No — No local cost		
CONTENTS:	Requires the Attorney General to annually prepare a capital case status report		

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.
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Detailed Fiscal Analysis

This bill would require the Attorney General to prepare annually a status report on all outstanding capital cases. Statutorily, a copy of this report would be filed with the Governor, the Chief Justice of the Supreme Court, the Speaker of the House of Representatives and the President of the Senate. The bill requires certain information to be included in the report, but the Attorney General has discretion in how this material shall be presented. The information required in the report includes: a summary of the facts of the case, current legal status and a brief history of past legal action. Additional information may be included by the Attorney General's office, including any tentatively scheduled dates of execution. The bill also declares that the Ohio General Assembly recognizes the substantive right to the appointment of counsel for the accused, which includes a right to effective assistance of counsel.

In 1995, the Capital Crime Section of the Attorney General's office decided to undertake the compilation of procedural and appeals history of all capital cases. This first report was released in April of 1996. Recently, the 1997 two-volume version of "Review of Systematic Delays in Ohio Death Penalty Appeals" was released. This bill would insert a requirement into the Ohio Revised Code that the report be produced. Additionally, the bill would require all officers and employees of the state and its subdivisions to cooperate in providing any necessary information to the Attorney General for the compilation of the report. The original report required a considerable amount of time involved in locating all the pieces of information used in the report from clerks, prosecutors and judges. No additional staff or physical resources were required for its creation. However, the Office of the Attorney General has indicated that the second report and additional future reports will take considerably less time to create since the



basic information has already been compiled. No additional or supplemental resources will be required to continue the future issuance of this report.

☐ *LBO staff: Corey C. Schaal, Budget/Policy Analyst*