Fiscal Note & Local Impact Statement

122 nd General Assembly of Ohio

BILL: **Sub. H.B. 122** DATE: **March 24, 1998**

STATUS: **As Reported by Senate Judiciary** SPONSOR: **Rep. Myers**

LOCAL IMPACT STATEMENT REQUIRED: **No — Minimal cost**

CONTENTS: **Prohibits the possession, transportation, delivery, or distribution of controlled substances for sale or resale**

State Fiscal Highlights

STATE FUND	FY 1998	FY 1999	FUTURE YEARS
General Revenue Fund			
Revenues	- 0 -	Potential negligible gain	Potential negligible gain
Expenditures	- 0 -	Potential indeterminate increase	Potential indeterminate increase
Crime Victims Reparations Fund			
Revenues	- 0 -	Potential negligible gain	Potential negligible gain
Expenditures	- 0 -	- 0 -	- 0 -

- By creating a new offense, additional cases would be created, resulting in an increase in DRC incarceration costs, and a negligible gain to the GRF and Reparations Fund from any collected court costs.

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 1998	FY 1999	FUTURE YEARS
Counties			
Revenues	- 0 -	Potential indeterminate gain	Potential indeterminate gain
Expenditures	- 0 -	Potential indeterminate increase	Potential indeterminate increase

- The bill could result in an increase in the number of new cases prosecuted, thus producing a potential increase in county expenditures related to prosecution, adjudication and jail incarceration.

- Fine and asset forfeiture revenues from drug cases could increase and possibly offset some of the increase in expenditures.

Detailed Fiscal Analysis

The bill establishes the offense of preparation of controlled substances for sale, by prohibiting a person from knowingly possessing, preparing for shipment, transporting, delivering, or distributing controlled substances that the person intends to sell or that the person believes another person intends to sell or resell. Current law prohibits a person from knowingly selling or offering to sell a controlled substance. The bill also delays the effective date of House Bill 162 of the 121st General Assembly from July 1, 1998 to July 1, 1999.

Effects of the bill

Although the bill establishes prohibitions against preparing controlled substances for sale or resale, we currently lack data with which to draw meaningful conclusions about the number of new cases that could be prosecuted as a result of the expansion. However, if we assume that the expansion will generate new cases, counties will experience an increase in expenditures associated with prosecution, adjudication, and longer stays in county jails. Fine and asset forfeiture revenues could also increase and possibly offset the potential increase in expenditures. DRC will also experience an increase in costs associated with the additional persons that could be sentenced to state prisons. The state could experience a potential negligible gain in revenues to the GRF and the Crime Victims Reparation Fund (CVRF) from increased collection of state court costs. State court costs for felony cases are currently $41, split between the GRF-$11, and CVRF-$30. For both the state and counties, these costs could grow significantly if the bill generates a significant number of new cases.

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