

Municipalities

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|--------------|-------------------------------|-------------------------------|-------------------------------|
| Revenues | Potential negligible gain | Potential negligible gain | Potential negligible gain |
| Expenditures | Potential negligible increase | Potential negligible increase | Potential negligible increase |

- Counties and municipalities could receive a small amount of court cost and fine revenue. Expenditures for prosecutions, if any, would be insignificant.
- The bill does not specify an administrative support agency for child fatality review boards. Therefore, it is assumed that counties will experience a minimal increase in expenditures due to the administrative costs associated with compiling an annual report.

Detailed Fiscal Analysis

According to 1996 estimates from the Department of Health, there are approximately 2,000 deaths of children under the age of 18, with about 1,200 of these from children under one year of age. The bill requires each county to establish a child fatality review board to review and issue reports on the death of persons under 18 years of age. An existing body serving as a child fatality review board shall serve the same functions as a board appointed by the board of county commissioners, as outlined in the bill.

Additionally, two or more counties could join together to form a regional child fatality review board to serve all participating counties. The bill requires the Department of Health to adopt rules for reviewing such deaths and to prepare an annual report based on information from all county child fatality review boards.

Counties

Each board of county commissioners is required to appoint a health commissioner from the board of health of a city or general health district to establish the child fatality review board consisting of six members from various specified groups. Each county child fatality review board would be required to meet at least once a year to review the deaths of persons under 18 years of age. Since the bill does not address any compensation for the members of the board, it is therefore assumed that service in this group would be donated or considered a part of a person's regular job duties. Additionally, the bill does not specify an administrative support agency for child fatality review boards. Therefore, a minimal increase in expenditures for counties is assumed due to the administrative costs associated with compiling and disseminating a report. The bill requires the report to be submitted to the Department of Health (DOH) by April 1 of each year.

Department of Health

The bill requires the department to adopt rules that establish procedures, guidelines, and reporting formats for child fatality review boards. On or before September 30, DOH and the Children's Trust Fund are required to jointly prepare a report that compiles all information submitted by the county child fatality review boards in their annual reports. The department and the Children's Trust Fund must publish this report and provide copies to various entities specified in the bill. These requirements will create a minimal increase in expenditures for DOH, which include rule promulgation, an additional employee or contract person, as well as expenses for supplies, copying, etc.

Penalties

The bill creates a second degree misdemeanor offense for any person to permit or encourage the unauthorized dissemination of any information that the bill specified to be

confidential. This includes any information, document, or report presented to a child fatality review board, all statements made by group members during their meetings, and all work products of the review board (other than the report prepared by the review boards for DOH). The penalties and sentencing for a misdemeanor of the second degree include a maximum sentence of 90 days; a personal fine of up to \$750; and an organizational fine of up to \$4,000.

State GRF and Reparations Fund

When an individual is convicted of or pleads guilty to a misdemeanor offense, the court generally is required to collect an additional \$11 in court costs and then pay it into the state's GRF. Although never referred to expressly in any of its enactments, the General Assembly intended that these moneys were to be used to assist public defender offices. Additionally, if an individual is convicted of or pleads guilty to a misdemeanor offense, the court generally is required to collect an additional \$9 in court costs and then pay it into the Reparations Fund, a.k.a., Victims of Crime fund. Assuming that there will be few additional criminal cases created as a result of the bill, the amount of additional revenue generated for the GRF and the Reparations Fund will be extremely small.

Local Revenue and Expenditure

Additional court cost and fine revenue may be generated for counties and municipalities, but as there most likely will be few additional criminal cases created by the bill, the amount of revenue to be generated should be extremely small. Court costs in most municipal courts generally must be paid into the treasury of the municipal corporation in which the municipal court is located. However, in the case of county-operated municipal courts, court costs generally must be paid into the county's treasury. Court costs collected in a county court must be paid into the county treasury.

One of the general rules for the distribution of fines in Ohio directs fines for violations of state law for deposit into the treasury of the county in which the municipal or county court is located. Also, the number of new criminal cases generated by the bill will be fairly small, and thus, there should be very little in the way of additional burdens placed on local criminal justice systems (courts, prosecutors, public defenders, law enforcement, and jails). In imposing a sentence, a court generally is permitted to impose imprisonment or a fine, or both.

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