

Fiscal Note & Local Impact Statement

122nd General Assembly of Ohio

BILL: S.B. 103 DATE: May 28, 1997
STATUS: As Introduced SPONSOR: Sen. Gardner
LOCAL IMPACT STATEMENT REQUIRED: Yes
CONTENTS: Permits hunting on any day during open season, and changes penalty for violation of hunting without permission of landowner

State Fiscal Highlights

STATE FUND	FY 1997	FY 1998	FUTURE YEARS
Wildlife Fund			
Revenues	- 0 -	Potential minimal gain	Potential minimal gain
Expenditures	- 0 -	- 0 -	- 0 -

- The Division of Wildlife is projecting a minimal increase in the sale of hunting licenses because of Sunday hunting. Thus, hunting license fee revenues could increase.

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 1997	FY 1998	FUTURE YEARS
Counties and municipalities			
Revenues	- 0 -	Potential minimal increase	Potential minimal increase
Expenditures	- 0 -	Potential increase	Potential increase

- The penalty for hunting on lands without the owner's permission is increased from a minor misdemeanor to a misdemeanor of the third degree on the first offense and a misdemeanor of the second degree on subsequent offenses. These fine revenues could increase, and expenditures could increase for prosecution, adjudication, and incarceration.



Detailed Fiscal Analysis

The bill permits hunting on any day during open season and makes changes to the penalties for hunting on lands without the owner's permission.

Hunting on any day

Essentially, the bill would allow hunting on Sundays. Wildlife officers are currently on duty on Sundays, so there would be no expenditure for overtime costs. The Division of Wildlife is not projecting a need for additional officers at this time. A spokesperson for the Department of Natural Resources estimates that there would have to be a significant increase (at least 40% or approximately 176,342 new licenses) in the number of hunting licenses sold before the department would incur additional expenses for Sunday hunting. The Division of Wildlife estimates that there will probably be at least a minimal increase in the number of licenses sold, but they are not projecting a significant increase at this time.

Written explanation of the law to accompany license

The bill would require the Division of Wildlife to include a written explanation of the law on hunting with the landowner's permission and the penalties for violation of that section. The Division currently distributes a hunting/fishing digest containing general information to the license vendors to be distributed with the purchase of the license. The Division anticipates that Section 1533.17 ORC and penalties would be included in this digest. There would be no additional cost to include this information in the digest. If the Division were required to print this separately from the digest, there would be a cost of approximately \$10,000 - \$20,000 annually.

Hunting on lands without the owner's permission

According to a spokesperson for the Division of Wildlife, wildlife officers made 303 arrests in 1996 for violations of hunting on lands without the owner's permission during deer season. (See table below for number of arrests over the last few years.) Currently, the penalty for a violation of this type is a minor misdemeanor which carries a maximum fine of \$100, but does not carry any incarceration time. These penalties are increased under the bill to a misdemeanor of the third degree on a first offense (maximum jail sentence of 60 days and maximum fine of \$500) and a misdemeanor of the second degree on each subsequent offense (maximum jail sentence of 90 days and maximum fine of \$750). Counties and municipalities could potentially incur increased expenditures due to incarceration time associated with these new penalties. Counties and municipalities could also incur potential revenue gain since the maximum fine limit is increased.

Division of Wildlife					
Incidents during deer season only					
	1992	1993	1994	1995	1996
Total arrests for hunting without permission	237	244	302	406	303

□ LBO staff: Joni Leone, Budget/Policy Analyst
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