

# Fiscal Note & Local Impact Statement

122<sup>nd</sup> General Assembly of Ohio

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BILL: S.B. 116 DATE: June 11, 1997  
STATUS: As Introduced SPONSOR: Sen. Gardner  
LOCAL IMPACT STATEMENT REQUIRED: Yes  
CONTENTS: Changes certain penalties in Elections Law

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## State Fiscal Highlights

STATE FUND	FY 1997	FY 1998	FUTURE YEARS
<b>Crime Victims Reparations Fund</b>			
Revenues	- 0 -	Potential gain	Potential gain
Expenditures	- 0 -	- 0 -	- 0 -

- Any new felony cases that result from the bill's provisions will result in gains to the Crime Victims Reparations Fund, which receives \$9 for each misdemeanor conviction and \$30 for each felony conviction.

## Local Fiscal Highlights

LOCAL GOVERNMENT	FY 1997	FY 1998	FUTURE YEARS
<b>Counties</b>			
Revenues	- 0 -	Potential gain	Potential gain
Expenditures	- 0 -	Potential increase	Potential increase
<b>Municipalities</b>			
Revenues	- 0 -	Potential gain	Potential gain
Expenditures	- 0 -	Potential increase	Potential increase

- Potential increase in expenditures and gain in revenues to counties for the prosecution of new felony violations contained in the bill.
- Potential increases and decreases in expenditures among counties and municipalities for the prosecution and incarceration of misdemeanor violations contained in the bill; also, potential gains and losses in revenues.



## ***Detailed Fiscal Analysis***

The bill makes various changes to penalties in Elections Law. There are relatively few cases of violations of elections laws when compared to the overall criminal caseloads throughout the state. The bill increases some fines and jail terms while decreasing others. The net effect of the bill's provisions on incarceration costs and fine revenues can not be determined. However, the bill changes some penalties from minor fines and jail terms to felony offenses. The costs of prosecuting and incarcerating felony offences are much greater than those for misdemeanor violations. In some instances, a single new felony case could cost an individual county thousands of dollars more than a misdemeanor violation.

The following chart outlines, by section number, the current fines and jail sentences and those proposed by the bill:

ORC Section Number	Description	Current Maximum Fine/ Maximum Sentence	Proposed Maximum Fine/ Maximum Sentence
3599.02	Bribery	\$500/ 1 year	\$5,000/ 1 ½ years
3599.14	Declaration of candidacy	\$500/ 6 months	\$1,000/ 6 months
3599.17	Election official failure to appear	\$100/ 15 days	\$1,000/ 6 months
3599.18	Election official refuse or alter registration	\$500/ 1 year	\$1,000/ 6 months
3599.19	Election official unlawful use of ballots/ elections materials	\$500/ 6 months	\$1,000/ 6 months
3599.20	Elector interference/ forgery	\$500/ 6 months	\$2,500/ 1 year
3599.22	Printing of ballot violations	\$1,000/ 6 months	\$1,000/ 6 months
3599.23 A(1),(2),B	Printing of ballot packaging and delivery	No Maximum Fine/ 1 year	\$1,000/ 6 months
3599.23	Loss of printed ballots or other elections materials	No Maximum Fine/ 1 year	\$750/ 90 days
3599.25	Counseling electors to vote knowing they are not qualified	\$500/ 6 months	\$5,000/ 1 ½ years
3599.31	Law officers enforcement of unlawful congregating	\$1,000/ 30 days	\$1,000/ 6 months
3599.32	Officials knowingly disobey duty	\$1,000/ 1 year	\$1,000/ 6 months
3599.35	Committee person impersonation	\$500/ 60 days	\$1,000/ 6 months
3599.36	Election falsification	\$1,000/ 6 months	\$2,500/ 1 year
3599.37	Failure to appear/ refusal to cooperate	\$1,000/ 6 months	\$1,000/ 6 months

3599.38	Election official attempt to influence voter	\$100/ 6 months	\$1,000/ 6 months
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### **Crime Victims Reparations Fund & State Public Defenders**

The Crime Victims Reparations Fund and the State Public Defender both receive funds from the court costs which are assessed in both county and municipal courts and in courts of common pleas. The following chart delineates the amount of money received by both the Crime Victims Reparations Fund and the Public Defender.

<b>Fund</b>	<b>Misdemeanors</b>	<b>Felonies</b>
Crime Victims Reparations Fund	\$9	\$30
Public Defender	\$11	\$11

Because the bill does not create any new violations, but enhances existing penalties, the Public Defender will not receive any additional revenues. However, the Crime Victims Reparations Fund will receive additional revenues for any enhanced penalties that are changed from misdemeanor to felony violations under the bill.

□ *LBO staff: Joshua N. Slen, Budget/Policy Analyst*

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