

Fiscal Note & Local Impact Statement

122nd General Assembly of Ohio

BILL: S.B. 218 DATE: February 17, 1998
STATUS: As Introduced SPONSOR: Sen. Ray
LOCAL IMPACT STATEMENT REQUIRED: No — Minimal cost
CONTENTS: Prohibit the cloning of a human being for a period of five years

State Fiscal Highlights

STATE FUND	FY 1998	FY 1999	FUTURE YEARS
General Revenue Fund			
Revenues	Potential negligible gain	Potential negligible gain	Potential negligible gain
Expenditures	- 0 -	- 0 -	- 0 -
Reparations Fund (Fund 402)			
Revenues	Potential negligible gain	Potential negligible gain	Potential negligible gain
Expenditures	- 0 -	- 0 -	- 0 -

- Negligible locally collected "court costs" revenue may be generated for the state GRF and Reparations Fund, a.k.a., Victims of Crime Fund.

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 1998	FY 1999	FUTURE YEARS
Counties and Municipalities			
Revenues	Potential negligible gain	Potential negligible gain	Potential negligible gain
Expenditures	Potential increase	Potential increase	Potential increase

- Counties and municipalities could receive a small amount of "court cost" and fine revenue.
- Although LBO does not anticipate numerous violations of this law, it is likely that any court actions as a result of this bill would be lengthy. This could lead to significant expenditures for prosecution at that particular court.



Detailed Fiscal Analysis

Human Cloning

This bill outlaws the practice of cloning an entire human being in the state of Ohio. Scientific research related to the cloning of human cells, tissues, or organs would still be permitted. The provisions of this section of the Revised Code would be terminated five years after the effective date of this bill.

Penalties

According to the bill, an individual who clones a human being or purchases or sells an ovum, zygote, embryo, or fetus for the purpose of cloning a human being is guilty of a fourth degree felony. An individual convicted of a felony of the fourth degree would face the following penalties:

<i>BASIC PRISON TERM:</i>	6 to 18 months
<i>MAX. POST-RELEASE CONTROL:</i>	1 year
<i>MAXIMUM FINE:</i>	\$5,000

State GRF and Reparations Fund

When an individual is convicted of or pleads guilty to a misdemeanor or felony 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 felony offense, the court generally is required to collect an additional \$30 in court costs (\$9 for a misdemeanor) 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 this bill, the amount of additional revenue generated for the GRF and the Reparations fund will be extremely small.

Local Revenue and Expenditures

Additional court costs 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 collected 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. On the expenditure side, counties will bear the cost of prosecution in these cases. Although LBO does not anticipate numerous violations of this law, it is likely that any court actions as a result of this bill would be lengthy. This could lead to significant expenditures for prosecution at that particular court.

□ *LBO staff: Jeffrey M. Rosa, Budget/Policy Analyst*

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