

# *Fiscal Note & Local Impact Statement*

123<sup>rd</sup> General Assembly of Ohio

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BILL:	Sub. H.B. 62 (LSC 123 0076-1)	DATE:	February 16, 1999
STATUS:	In House Criminal Justice	SPONSOR:	Rep. Coughlin
LOCAL IMPACT STATEMENT REQUIRED:	No — No local cost		
CONTENTS:	Codifies existing practice governing the receipt and retention of specified inflammatory materials, specified obscene or other sexually-oriented materials, and other types of materials by prisoners in state correctional institutions		

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## *State Fiscal Highlights*

- The bill codifies existing regulations and practice of the Department of Rehabilitation and Correction. No changes in the practice are proposed. There are no additional fiscal effects on the state.

## *Local Fiscal Highlights*

- No direct fiscal effect on local governments.

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## *Detailed Fiscal Analysis*

### **Provisions of the Bill**

The bill would codify the current practice of the Department of Rehabilitation and Correction (DRC) governing the receipt of inflammatory, obscene or other sexually-oriented material. Specifically, the bill requires the head of each correctional institution to forward for approval by the Director of DRC proposed regulations governing the types and quantities of material permitted each prisoner in that institution. The Director of DRC also is required to establish a standard for determining obscenity, in accordance with obscenity standards determined by the U.S. Supreme Court. In-coming material that is determined under these regulations to be prohibited inflammatory material or prohibited obscene or other sexually oriented material will be withheld from prisoners. The bill includes provision for an appeal process at the institutional level and to DRC's Central Office Publication Screening Committee.

### **Fiscal Analysis**

Because this bill codifies existing DRC practices, its provisions will not create any new or additional costs for the state. No additional staff will be needed and no additional procedural requirements are mandated. Additionally, because the bill only addresses the handling of certain materials by state correctional institutions, it will have no direct effect on local governments.



## *Synopsis of Fiscal Changes*

The substitute bill does not include any changes that would alter the fiscal effect of the bill as introduced.

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