

Fiscal Note & Local Impact Statement

123rd General Assembly of Ohio

BILL: **S.B. 13** DATE: **February 17, 1999**

STATUS: **As Introduced** SPONSOR: **Sen. Blessing**

LOCAL IMPACT STATEMENT REQUIRED: **No — Minimal cost**

CONTENTS: **Expands the definition of first offender in expungement law to include, in certain situations, offenders who have two or more convictions resulting from the same indictment, information, complaint, guilty plea or official proceeding**

State Fiscal Highlights

STATE FUND	FY 1999	FY 2000	FUTURE YEARS
General Revenue Fund			
Revenues	Negligible gain	Negligible gain	Negligible gain
Expenditures	- 0 -	-0-	- 0 -

Note: The state fiscal year is July 1 through June 30. For example, FY 2000 is July 1, 1999 – June 30, 2000.

- Thirty dollars of the \$50 application fee for the sealing of criminal conviction records is directed under existing state law to the state treasury to be placed into the general revenue fund. As the number of expungements affected by the bill is fairly small, an annual negligible gain will be experienced by the state's GRF.

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 1999	FY 2000	FUTURE YEARS
Counties & Municipalities			
Revenues	Negligible gain	Negligible gain	Negligible gain
Expenditures	Negligible increase	Negligible increase	Negligible increase

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- There could be a slight increase in the number of people who seek to have their record of conviction sealed. However, the number of people affected by this modification who then do seek to have criminal conviction records sealed is so small that effect on local expenditures will be negligible.
- Under current law, twenty dollars of the \$50 application fee for the sealing of criminal conviction records is to be placed into the county general revenue fund if the sealed conviction or bail forfeiture was pursuant to a state statute, or into the general fund of the municipal corporation involved if the sealed conviction or bail forfeiture was pursuant to a municipal ordinance. As the number of expungements affected by the bill is so small, the annual revenue gains for counties and municipalities will be negligible.



Detailed Fiscal Analysis

This bill would modify the definition of “first offender” to increase the number of people who are eligible to have their criminal conviction records sealed. The number of people who would fall under the newly expanded definition and would take advantage of this change is fairly small. The request for sealing of conviction records necessitates a simple hearing, usually conducted in the sentencing court. The prosecuting attorney must be notified of the hearing, but does not have to participate or attend. The cost of the hearing may be partially offset by the fifty dollar fee that the applicant, unless indigent, must pay. Twenty dollars of this fee is directed to the general revenue fund of either a county or a municipality depending upon whether a state statute or a municipal ordinance was involved. The remaining thirty dollars is deposited to the credit of the state’s GRF. This change should have a negligible fiscal effect upon the revenues and expenditures of the municipalities and counties that operate the local courts. Similarly, as the number of expungement matters affected by the bill are fairly small, the annual gain in revenue for the state’s GRF will be negligible.

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