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## ***Detailed Fiscal Analysis***

*Flea market record keeping.* The bill requires any person who offers certain kinds of new and unused personal property for sale to the general public at a flea market or at any other location to maintain a record of each sale. Each record must be kept for at least two years. Failure to maintain the required records is a minor misdemeanor under the bill.

Counties and municipalities could have additional court costs and could gain court fee revenue to prosecute and adjudicate alleged violators of the minor misdemeanor created in the bill. Counties could gain revenue from any fines paid by individuals found guilty of the new misdemeanor. Violators of the bill's provisions could be fined up to \$100. Costs for record keeping would fall on private individuals.

*Expanding the offense of receiving stolen property.* The bill specifies that it is not a defense to a charge of receiving stolen property that the property was obtained by means other than through the commission of a theft offense if the property was explicitly represented to the accused person as being stolen. This change could increase the number of persons charged and/or convicted of receiving stolen property. Counties and municipalities could have additional court costs and could gain court fee revenue to prosecute and adjudicate alleged violators of this expansion of the definition of receiving stolen property.

Counties and the state could have increased costs for incarcerating persons that were found guilty under the new provision and sentenced to jail. The potential cost increase is likely larger for the state. Counties could also gain revenue from any fines paid by individuals found guilty.

Depending on the type of property and its value, an individual could be charged with a misdemeanor of the first degree up to a felony of the third degree. A person convicted of a first-degree misdemeanor can be imprisoned for up to 6 months and fined up to \$1,000 and would likely be sent to a county jail. Someone convicted of a third degree felony can be imprisoned for one to five years and fined up to \$10,000. Individuals convicted of felonies under this provision would likely serve their sentence in a state facility. In 1995, 9,244 people in Ohio were arrested for receiving stolen property.

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