



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: H.B. 33 of the 128th G.A.

Date: December 1, 2009

Status: As Introduced

Sponsor: Rep. Dyer

Local Impact Statement Procedure Required: No — Minimal cost

Contents: Methamphetamine laboratory reporting requirements

State Fiscal Highlights

| STATE FUND | FY 2010 | FY 2011 – FUTURE YEARS |
|--|--|--|
| Department of Public Safety | | |
| Revenues | - 0 - | - 0 - |
| Expenditures | Increase of approximately \$145,000 to develop reporting system and for hardware and licensing | Increase of approximately \$25,000 for maintenance and system administration and licensing |
| Environmental Protection Agency | | |
| Revenues | - 0 - | - 0 - |
| Expenditures | Potential increase, unknown at this time | Potential increase, unknown at this time |

Note: The state fiscal year is July 1 through June 30. For example, FY 2010 is July 1, 2009 – June 30, 2010.

- Department of Public Safety.** According to the Department of Public Safety, they would need 400-600 hours to develop the reporting system, at a cost of \$30,000-\$45,000, and another \$100,000 for hardware and software licensing. In addition to those one-time costs, there would be annual expenditures of approximately \$15,000 for 200 hours per year to maintain the system and \$10,000 per year for system administration and software licensing.
- Environmental Protection Agency.** The Environmental Protection Agency acknowledges there may be an increase in expenditures related to the requirements in the bill that they certify a property or motor vehicle has been satisfactorily cleared of methamphetamine residue, and they are currently researching the question to determine a more precise cost figure.

Local Fiscal Highlights

LOCAL GOVERNMENT

FY 2010 – FUTURE YEARS

Counties

Revenues

- 0 -

Expenditures

Potential increase, of uncertain magnitude, for county recorders if they choose to record an instrument identifying any property that has been included in the methamphetamine laboratory database

Local Law Enforcement

Revenues

- 0 -

Expenditures

Potential increase, not more than minimal, for local law enforcement who are required to report the location of a methamphetamine laboratory to the Department of Public Safety

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

- **Counties.** The bill permits a county recorder to record an instrument that identifies any property that has been included in the Public Safety database and to provide a way for an owner of property or a motor vehicle included in that database to receive certification from the Environmental Protection Agency that the property or motor vehicle has been cleared of methamphetamine residue. The bill is permissive on that provision, so any increase in expenditures would only occur if a county recorder chooses to record the instrument, thus making it difficult to develop a precise cost estimate.
- **Local law enforcement.** The bill requires law enforcement agencies to report to Public Safety the location of any real property on which and the vehicle identification number of any motor vehicle in which an illegal methamphetamine manufacturing laboratory has been discovered. Local law enforcement already reports this information to the Bureau of Criminal Identification and Investigation (BCII), so they would likely add Public Safety to the list of places to which they report. Any increases in expenditures related to the reporting requirements are unlikely to be more than minimal.

Detailed Fiscal Analysis

Overview

From a fiscal perspective, the bill most notably:

- Requires law enforcement agencies to report to Public Safety the location of any real property or the vehicle identification number where an illegal methamphetamine laboratory has been discovered;
- Requires the Department of Public Safety to maintain a database on its website with the information mentioned in the above bullet point;
- Authorizes a county recorder to record an instrument that identifies, and ultimately clears, any property that has been included in the Public Safety database; and
- Requires the Environmental Protection Agency (EPA) to certify that a property or motor vehicle has been satisfactorily cleared of methamphetamine residue and coordinate with Public Safety to have that property or motor vehicle removed from the database.

State fiscal effects

Department of Public Safety

The bill requires Public Safety to maintain a database on its web site that lists the properties on which and motor vehicles in which illegal methamphetamine laboratories have been discovered. According to the Department, they would need 400-600 hours to develop the reporting system, at a cost of \$30,000-\$45,000, and another \$100,000 for hardware and software licensing. In addition to those one-time costs, there would be annual expenditures of approximately \$15,000 for 200 hours per year to maintain the system and \$10,000 per year for system administration and software licensing. Public Safety has not yet identified from which fund these expenditures would come.

Environmental Protection Agency

The bill requires the EPA to certify that a property or motor vehicle has been satisfactorily cleared of methamphetamine residue, when an owner of the property or motor vehicle has requested such certification. This requirement could result in an increase in expenditures for the EPA, and they are currently considering this issue in order to arrive at a more precise cost figure.

Local fiscal effects

County recorders

The bill permits a county recorder to record an instrument that identifies any property that has been included in the Public Safety database and to provide a way for an owner of property or a motor vehicle included in that database to receive

certification from the EPA that the property or motor vehicle has been cleared of methamphetamine residue. The bill is permissive on that provision, so any increase in expenditures would only occur if a county recorder chooses to record the instrument. However, if such an instrument is recorded, then a second instrument would be required to be recorded that states a property has been cleared of methamphetamine residue when the EPA so certifies. This could result in an increase in expenditures, but it is unlikely that increase would exceed minimal.

Local law enforcement

The bill requires law enforcement agencies to report to Public Safety the location of any real property on which and the vehicle identification number of any motor vehicle in which an illegal methamphetamine manufacturing laboratory has been discovered. According to a representative of the Buckeye State Sheriff's Association, local law enforcement already reports this information to the Bureau of Criminal Identification and Investigation (BCII) in the Attorney General's Office, so they would simply add Public Safety to the list of places to which they report. Any increases in expenditures related to the reporting requirements are unlikely to be more than minimal.

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