



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: [Sub. H.B. 431 of the 128th G.A.](#) **Date:** June 3, 2010
Status: As Reported by Senate Judiciary Civil Justice **Sponsor:** Reps. Okey and Huffman

Local Impact Statement Procedure Required: No — Minimal

Contents: Consolidation of references to fees and costs in courts of records, ballot signature requirements, providing a receipt for petitions filed with the Secretary of State, Stow Municipal Court, and nominating petitions for Hamilton County Municipal Court Consolidation of references to fees and costs in courts of records

State Fiscal Highlights

- To the extent that the bill decreases the number of statewide issues appearing on the ballot, it could result in some more than minimal expenditure savings for the Secretary of State (SOS). The bill's requirement of providing a receipt for petitions filed with the SOS could increase its operating costs. The net effect of these potential increases in expenditures is uncertain, but not likely to exceed minimal.

Local Fiscal Highlights

- The bill will increase the court cost revenue received by the Stow Municipal Court. Additionally, it will likely result in the transfer of some operating expenses from the municipality of Stow to other municipalities under the jurisdiction of the Stow Municipal Court.

Detailed Fiscal Analysis

Consolidated Code

The bill creates a consolidated reference to Revised Code sections that establish court costs and fees, other than attorney fees, in Ohio's courts of record (Supreme Court, courts of appeals, Court of Claims, courts of common pleas, municipal and county courts). This Revised Code consolidation will not affect those courts' caseloads, operating costs, or revenue collections. Therefore, the bill will have no direct fiscal effect on the state or any of its political subdivisions.

The bill consolidates Revised Code references to the costs, expenses, or fees of receivers in a separate section. The bill does not amend any of these sections that provide for the appointment, costs, or expenses of receivers and therefore has no fiscal impact on these entities.

Ballot costs

The bill could result in some savings, approximately \$200,000 per ballot initiative, for the Secretary of State if issues that would have otherwise been able to collect enough signatures under current law, are unable to provide the necessary signatures for a petition under the bill and therefore are not placed on the ballot. Appropriations made to the Controlling Board, typically GRF line item 911441, Ballot Advertising Costs, are used to reimburse the Secretary of State for all expenses the Secretary of State incurs for such advertising. The funds to reimburse the Secretary of State are transferred by the Controlling Board to the Statewide Ballot Advertising Fund (Fund 5FH0).

Under the bill, county boards of elections may see some savings as they incur some small additional expense for printing the language of the proposed amendment on ballots. This would be the case for all counties to print the necessary absent voter and provisional ballots. In addition, counties using optical scan ballots could also realize some savings, as compared to current law, associated with printing this language on ballot forms.

Petition receipt

The bill could lead to an increase in operating costs as the Secretary of State will have to develop policies and procedures to comply with the bill's requirement of determining the number of part-petitions and signatures received as well as providing a receipt to the person who filed the petition containing that information. The cost of the development and implementation of these procedures is uncertain.

Stow Municipal Court

The bill will create an additional revenue stream for the Stow Municipal Court. The bill imposes an additional fee of \$25 per case for convictions or guilty pleas in the Stow Municipal Court. This fee could raise up to an additional \$225,000 annually.

The bill will also alter the distribution of costs associated with the operation of the Stow Municipal Court. These alterations will likely result in increased expenditures for some municipalities under the jurisdiction of the Stow Municipal Court in future years. The potential size of these increases for the affected communities is uncertain at this time.

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