



# Ohio Legislative Service Commission

*Terry Steele*

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## Fiscal Note & Local Impact Statement

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**Bill:** [H.B. 326 of the 129th G.A.](#)

**Date:** September 27, 2011

**Status:** As Introduced

**Sponsor:** Rep. McClain

**Local Impact Statement Procedure Required:** No

**Contents:** Prohibits a person from using public funds for specified purposes and specifies that a person or a political subdivision who violates the prohibition is guilty of a first degree misdemeanor

### State Fiscal Highlights

- The bill creates a new criminal penalty of a first degree misdemeanor for a governing body of a political subdivision or any other individual that knowingly uses public funds for campaign purposes. This new penalty could increase fine revenues deposited in the Indigent Defense Support Fund (Fund 5DY0) and the Victims of Crime/Reparations Fund (Fund 4020).

### Local Fiscal Highlights

- The bill creates a new criminal penalty of a first degree misdemeanor for a governing body of a political subdivision or any other individual that knowingly uses public funds for campaign purposes. While it is unlikely that a large number of new criminal cases would arise from this newly established penalty, there could be some new costs resulting from any new cases. These cases would likely be handled by municipal courts.

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## Detailed Fiscal Analysis

### Overview

The bill establishes a new criminal penalty of a first degree misdemeanor for a governing body of a political subdivision or any other individual that knowingly uses public funds for campaign purposes. The bill could increase county and municipal criminal justice system costs for investigating, prosecuting, and adjudicating certain offenders. Likewise, the bill could also generate additional court cost and fine revenues for counties and municipalities. Assuming that the penalty in this bill is rarely prosecuted, any related variations in annual county and municipal criminal justice system expenditures and revenues are likely to be no more than minimal.

In addition to any local fines and court costs, offenders can be ordered to pay locally collected state court costs. State court costs for a misdemeanor conviction total \$29, of which \$20 is credited to Fund 5DY0 and \$9 is credited to Fund 4020. Overall, since there would likely be few new convictions under this new violation, any additional revenue to Fund 5DY0 and Fund 4020 would likely be negligible.