



Ohio Legislative Service Commission

Joseph Rogers

Fiscal Note & Local Impact Statement

Bill: [H.B. 457 of the 129th G.A.](#)

Date: May 15, 2012

Status: As Introduced

Sponsor: Rep. O'Brien

Local Impact Statement Procedure Required: No

Contents: Electronic monitoring

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

LOCAL GOVERNMENT

FY 2012 – FUTURE YEARS

Sheriff's Electronic Monitoring Expense Fund (new fund)

Revenues

Annual gain in electronic monitoring fees charged by sheriff

Expenditures

Annual increase, up to available revenues

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

- The amount of revenue that a sheriff might collect annually in electronic monitoring fees for deposit in the Sheriff's Electronic Monitoring Expense Fund, which the bill creates, is uncertain. The amount expended annually from the fund for the sheriff's monitoring-related expenses would depend on the amount of available cash.

Detailed Fiscal Analysis

The bill authorizes a sheriff, subject to certain exceptions, to charge an electronic monitoring fee to an offender being monitored electronically by the sheriff's office, establishes criteria for determining the amount of the fee, and requires that the fees be deposited in the Sheriff's Electronic Monitoring Expense Fund, which the bill creates.

Sheriff's Electronic Monitoring Expense Fund

By permitting a sheriff to charge an electronic monitoring fee: (1) a sheriff may be able to recoup all or some portion of monitoring-related expenses that the sheriff is not clearly authorized to recoup from an offender under current law, and (2) other state and local authorities may be more likely to utilize the sheriff to perform electronic monitoring. The amount that any given sheriff might collect in any given year is uncertain. This is because of a number of unknowns: (1) the number of offenders to be monitored by a sheriff in any given county is uncertain, (2) the number of offenders for whom a sheriff would be prohibited from charging a fee because the court orders the offender to pay some or all of the cost of monitoring or the cost is to be paid pursuant to some other provision of current law, and (3) the number of offenders determined to be indigent and thus unable to pay the fee, which currently averages \$11 per day.

The bill authorizes use of the money in the fund for a sheriff's monitoring-related expenses. As the amount of fee revenue that might be collected annually by any given sheriff is uncertain, the amount that might be expended from the fund is also uncertain. That being said, the fund's expenditures in any given year could not exceed the available cash balance.