



Ohio Legislative Service Commission

Joseph Rogers

Fiscal Note & Local Impact Statement

Bill: Sub. S.B. 61 of the 129th G.A.

Date: April 21, 2011

Status: As Passed by the Senate

Sponsor: Sen. Wilson

Local Impact Statement Procedure Required: No

Contents: Conforms the restoration of civil firearm rights with federal law, modifies the prohibition against "having weapons while under disability," and specifies that the residential and familial information of probation officers and bailiffs is not a public record

State Fiscal Highlights

STATE FUND

FY 2012 – FUTURE YEARS

General Revenue Fund (GRF) and Other State Funds

Revenues - 0 -

Expenditures Potential negligible redaction costs

Note: The state fiscal year is July 1 through June 30. For example, FY 2012 is July 1, 2011 – June 30, 2012.

- The requirement that certain personal information of probation officers and bailiffs be excluded from public records may generate a no more than negligible ongoing operating expense for certain state entities to redact such information as necessary.

Local Fiscal Highlights

LOCAL GOVERNMENT

FY 2011 – FUTURE YEARS

Counties (firearms rights)

Revenues Minimal annual effect

Expenditures Minimal annual effect

Counties and Municipalities (information on probation officers and bailiffs)

Revenues - 0 -

Expenditures Potential negligible redaction costs

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

- The bill's firearms provisions will have, at most, a minimal net annual fiscal effect on courts of common pleas and county prosecutors. It creates conditions that have the potential to both expand and narrow the number of persons to whom the existing disability prohibition applies and may then seek relief from that prohibition. The associated workload may rise or drop a bit, with a slight effect on annual operating costs and revenue collections.

- The requirement that certain personal information of probation officers and bailiffs be excluded from public records will likely create no more than a negligible ongoing operating expense for affected local entities, most likely counties and municipalities, to redact such information as necessary.
-

Detailed Fiscal Analysis

Restoration of civil firearms rights

The bill's modification of the state's existing disability relief mechanism, largely for the purpose of conforming to federal law, may minimally increase annual county revenues and expenditures. These annual fiscal effects would be a direct result of an expansion in the categories of persons who may apply to the court of common pleas in which they reside for relief from the prohibition against their acquiring, having, carrying, or using any firearm or dangerous ordnance.

Under current law, unchanged by the bill, the county prosecutor is required to investigate such matters and the court of common pleas is required to conduct a hearing on whether to grant relief. The costs of the proceedings and any related filing fees would be charged to the applicant.

Presumably, the bill's modification will increase the number of persons filing applications for relief, and generate additional work for the county prosecutor and the court of common pleas to dispose of these matters. The potential additional cost for either the prosecutor or the court is likely to be minimal at most annually, with some, if not all, of that cost offset by the court cost and filing fees that would be charged the applicant.

Prohibition against having weapons while under disability

The bill's elimination of the prohibition against persons with certain misdemeanor drug offense convictions from acquiring, having, carrying, or using any firearm or dangerous ordnance will have, at most, a minimal annual fiscal effect on courts of common pleas and county prosecutors. The result will be a slight reduction in workload, as the number of applications filed for relief from the prohibition that require an investigation by the county prosecutor and a hearing before the court of common pleas may decrease in certain jurisdictions. The likely annual savings will be minimal. There would also be a commensurate loss in court fees and costs that might otherwise have been taxed to the applicant for the costs of the proceedings.

Changes to the Public Records Law

The bill excludes from the definition of "public record" in the Public Records Law certain information, including residential and familial information, pertaining to probation officers and bailiffs. It extends existing prohibitions against disclosure of the

home addresses of peace officers in criminal cases, and the exceptions to the prohibitions, to the disclosure of the home addresses of probation officers and bailiffs.

The bill would require state and local entities that keep information pertaining to probation officers and bailiffs to redact certain personal information from records that are currently deemed "public." This requirement that certain information be excluded from public records will likely create no more than a negligible ongoing operating expense for affected state and local entities, most likely counties and municipalities.

SB0061SP.docx / lb