



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: S.B. 68 of the 129th G.A.

Date: November 14, 2011

Status: As Introduced

Sponsor: Sen. Schaffer

Local Impact Statement Procedure Required: No

Contents: SORN Law residence restrictions and juvenile registrants

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- No direct fiscal effect on political subdivisions of the state.
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Detailed Fiscal Analysis

Residency restriction

The bill modifies the existing Sex Offender Registration and Notification Law (SORN), residency restriction to provide that: (1) it applies regardless of when the offender committed the offense and when the offender commenced the occupancy, and (2) it does not apply to an offender who bought his or her home and committed his or her offense before the effective date of the restriction.¹ This modification has two intents: (1) to clarify the original legislative intent, and (2) to codify an Ohio Supreme Court ruling that the restriction does not apply to an offender who bought his or her home and committed his or her offense before the effective date of the restriction. To the degree that this modification has a fiscal effect, it would most likely be in terms of making it less problematic for local jurisdictions to determine the applicability of the restriction under certain circumstances and reducing the associated enforcement costs.

¹ Am. Sub. S.B. 5 of the 125th General Assembly prohibited certain sex offenders from residing or occupying a residence located within 1,000 feet of a school. This act was subsequently amended by Am. Sub. H.B. 473 of the 125th General Assembly and Am. Sub. S.B. 10 of the 127th General Assembly to include preschools and child day-care centers, and grant certain local officials a cause of action for injunctive relief when an offender violates its prohibition against residing within 1,000 feet of these restricted localities.

Delinquent child registration duty

The bill modifies the existing SORN Law to specify that the registration duty of a child who is adjudicated a delinquent child for committing a sexually oriented offense applies regardless of when the offense was committed.² This corrects the one instance in the SORN Law that does not explicitly state that a delinquent child's registration duty applies regardless of when the sexually oriented offense or child-victim oriented offense was committed. This modification/correction is unlikely to generate any discernible additional work or associated costs for either the county sheriffs who are currently charged with administering the existing registration and notification system or the Office of the Attorney General which is charged with operating Ohio's existing statewide sex offender registry.

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² Under the existing SORN Law, an offender who is convicted of or pleads guilty to a sexually oriented offense or a child-victim oriented offense has the duty to register the offender's residence, school, institution of higher education, and place of employment address. A child who is adjudicated a delinquent child for committing a sexually oriented offense or a child-victim oriented offense and who is classified a juvenile offender registrant based on that adjudication has the duty to register the child's residence address and, if the child also is determined to be a public registry-qualified juvenile offender registrant, the child's school, institution of higher education, and place of employment address.