



# Ohio Legislative Service Commission

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## Fiscal Note & Local Impact Statement

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**Bill:** [S.B. 330 of the 129th G.A.](#)

**Date:** December 4, 2012

**Status:** As Introduced

**Sponsor:** Sen. Schiavoni

**Local Impact Statement Procedure Required:** No

**Contents:** Adds military service to the list of factors and information that a court sentencing an offender for a misdemeanor must consider in determining the appropriate sentence

### State Fiscal Highlights

- No direct fiscal effect on the state.

### Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.
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### Detailed Fiscal Analysis

The bill modifies the current Misdemeanor Sentencing Law to require a court consider information related to an offender's service in the United States armed forces when determining an appropriate sentence for a misdemeanor offense. Current law already requires a court to consider a series of specific factors and other information when sentencing an offender for a misdemeanor and permits a court to "consider any other factors that are relevant to the purposes and principles" of the Misdemeanor Sentencing Law. Presumably then, the bill codifies the current practice of certain courts to consider military service as an "other factor," and in the case of certain other courts, will require the judge to do so. In the case of the latter, there will be no discernible direct fiscal effect on the state or its political subdivisions, as the ability of the court to dispose of a misdemeanor case in a timely manner will not be materially affected.

As a potential indirect effect of the bill, to the extent that a court is not considering this factor and information, the manner in which certain offenders are sanctioned may change to some degree. Whether the associated expenditures for any given county or municipality will increase or decrease will depend on the cost of the sanctioning compared to what might otherwise have occurred under current practice.

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