Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: Am. H.B. 177 of the 130th G.A. **Date**: June 19, 2013

Status: As Reported by House Transportation, Public Safety, and Homeland Security **Sponsor**: Rep. Pelanda

Local Impact Statement Procedure Required: No

Contents: Prohibits the manufacture, import, or sale of a counterfeit or nonfunctional motor vehicle air bag and increases certain penalties

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- Increasing a penalty for violating the provisions of the bill from a first degree misdemeanor to a fifth degree felony would result in a decrease in expenditures for the municipal courts and a corresponding increase in expenditures for the county courts of common pleas. It is unlikely that these decreases and increases would exceed minimal.
- If there are new cases referred to a county court of common pleas as a result of the provision that a person who knowingly manufactures, imports, or sells a counterfeit or nonfunctioning air bag is guilty of a felony, there would be an increase in expenditures for that county. It is unlikely that any increase in expenditures would exceed minimal.

Detailed Fiscal Analysis

The bill prohibits the manufacture, import, or sale of a counterfeit or nonfunctional motor vehicle air bag or the reinstallation of a device in a motor vehicle that causes the vehicle's diagnostic system to inaccurately indicate that the vehicle is equipped with a functional air bag. The bill increases the penalty for improper replacement of an air bag if the violation results in the bodily injury or death of an individual from a first degree misdemeanor to a fifth degree felony. This would result in moving cases from the municipal court to the county court of common pleas, so there would be a movement in costs from the municipal court to the county court. Any decrease in costs to the municipal court, as well as any corresponding increase in costs to the county court of common pleas is unlikely to exceed minimal.

The bill also provides that if a person knowingly manufactures, imports, or sells a counterfeit or nonfunctioning air bag, depending on the cumulative sales price of the air bag, that person is guilty of either a felony of the fourth degree or a felony of the third degree. Any case arising from a violation of this provision of the bill would be referred to a county court of common pleas. This could result in an increase in expenditures for the court, depending on the number of cases referred, but any increase is unlikely to exceed minimal.

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