Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: Am. Sub. H.B. 234 of the 130th G.A. **Date**: December 10, 2014

Status: As Enacted **Sponsor**: Reps. Grossman and Becker

Local Impact Statement Procedure Required: No

Contents: Noise suppressed hunting firearms and changes to the concealed handgun license law

State Fiscal Highlights

- The bill may result in some reduction in convictions over time for offenses related to concealed carry in prohibited parking areas, which may yield some marginal decline in the population of the state prison system. Any corresponding reduction in the Department of Rehabilitation and Correction's GRF-funded incarceration costs would not likely exceed minimal annually.
- Any related annual reduction in state court cost revenues credited to the Victims of Crime/Reparations Fund (Fund 4020) and the Indigent Defense Support Fund (Fund 5DY0) will be negligible.

Local Fiscal Highlights

- The most likely effect of the bill's criminal penalty provisions may be to reduce the number of persons who might otherwise have been prosecuted and convicted in a criminal case involving concealed carry in a prohibited parking area. This could create a minimal annual savings in county and municipal criminal justice system case processing costs and a related minimal annual loss in court costs and fine revenues that might otherwise have been collected.

Detailed Fiscal Analysis

Suppressed firearms

The bill authorizes a person who holds a valid hunting license to use a suppressor attached to a firearm while hunting game birds or wild quadrupeds and exempts that person from the existing dangerous ordnance prohibition. The practical effect of this change is that there may be fewer violations of certain restrictions concerning the use of silenced firearms in hunting. The Ohio Department of Natural Resources' Division of Wildlife, which has enforcement authority over hunting violations, is not aware of any arrests or prosecutions for hunting with a suppressed firearm. This provision is not likely to discernibly affect the operations of county and municipal criminal justice systems with jurisdiction over such matters, which means that there will be no direct fiscal effect on the state or any of its political subdivisions.

Concealed handgun law

The bill makes changes involving the application process, eligibility of individuals to receive concealed handgun licenses and renewals, and training requirements. These provisions modify certain residency requirements, time frame for certain renewals, as well as the length of training necessary to be granted a license or renewal.

These provisions will generally broaden and expand eligibility requirements, which will make it easier to get a concealed handgun license, and may, in certain cases, lead to an increase in the number of individuals seeking concealed handgun permits. This would likely generate some increase in the fee revenue collected and credited to the Sheriff's Concealed Handgun License Issuance Expense Fund. The implementation of most of these concealed handgun law provisions would have no ongoing fiscal impact on county sheriffs.

Criminal penalties

Under the bill, if a person knowingly violates a posted prohibition stating that carrying a concealed handgun is not permitted and the posted land or premises primarily was a parking lot or other parking facility, the person is not guilty of criminal trespass or under any other criminal law of this state or criminal law, ordinance, or resolution of a political subdivision of this state.

State incarceration costs

This provision may reduce the number of persons that would have, or could have, been convicted under current law on charges related to carrying a concealed handgun in parking areas or facilities with a posted prohibition. To the extent that such a reduction in convictions occurs, there would likely be a small corresponding reduction in the number of persons sentenced to prison. Any corresponding reduction

in the Department of Rehabilitation and Correction's GRF-funded incarceration costs would not likely exceed minimal (a decrease in incarceration costs estimated at less than $100,000 per year).

State revenues

As a result of the bill's criminal related provisions, and the potential reduction in certain criminal convictions, there would also be some corresponding reduction in state court cost revenues, which are collected locally and forwarded for deposit in the state treasury to the credit of the Victims of Crime/Reparations Fund (Fund 4020) and the Indigent Defense Support Fund (Fund 5DY0). If, as expected, the annual number of cases in which persons are not charged or convicted of a crime is relatively small, then any loss of state revenue will likely be negligible (an estimated revenue loss of less than $1,000 for either state fund per year).

Local criminal justice systems generally

A potential effect of reducing the number of certain criminal convictions may be to create some level of savings in local criminal case processing costs and a related loss in court costs and fine revenues that might otherwise have been collected. The magnitude of these potential changes in local revenues and expenditures will not exceed minimal annually (an estimated dollar amount of no more than $5,000 per year for any affected county or municipal criminal justice system).

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