



Ohio Legislative Service Commission

Garrett Crane

Fiscal Note & Local Impact Statement

Bill: [H.B. 542 of the 130th G.A.](#)

Date: December 3, 2014

Status: As Reported by House Judiciary

Sponsor: Rep. Barborak

Local Impact Statement Procedure Required: No

Contents: Financial sanction in drug cases

State and Local Fiscal Highlights

- The bill may make it less problematic for state and local law enforcement agencies to recover funds expended to buy drugs in a criminal investigation.

Detailed Fiscal Analysis

The bill adds restitution of "buy money" spent by a law enforcement agency in a drug case as a financial liability the offender could be required to repay if convicted. Courts apparently do not believe they have the authority to order such restitution, which has led some local law enforcement and prosecutors to file a civil action against the offender to recover the funds.

Conversations with law enforcement practitioners and legal professionals indicate that the amount of funds used in drug buys generally range from hundreds to thousands of dollars. The bill may make it easier in these circumstances, and therefore more likely, for state and/or local law enforcement agencies to recover drug buy funds in certain cases.

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