



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: [Am. H.B. 663 of the 130th G.A.](#) **Date:** November 20, 2014
Status: As Reported by House Policy and Legislative Oversight **Sponsor:** Reps. Buchy and Huffman

Local Impact Statement Procedure Required: No

Contents: Lethal injection

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.

Detailed Fiscal Analysis

The bill provides confidentiality and license protection for individuals and entities who are involved in carrying out a death sentence by lethal injection and creates a civil cause of action for the unauthorized disclosure of information that could lead to the identification of any such individual or entity. The unauthorized disclosure of such information is expected to be infrequent and generate no discernible fiscal effects on the court that would adjudicate such matters, most likely a court of common pleas.

The bill also voids certain contracts that prohibit or prevent a governmental entity from obtaining or using a drug in an execution by lethal injection. Whether the Department of Rehabilitation and Correction (DRC) has existing contracts containing such restrictions is uncertain. The response of the contractor to a violation of the agreement is also uncertain, but could include the filing of a civil action for a remedy that includes the recovery of damages and litigation costs. Such contractual disputes are likely to be few in number. There is likely to be no discernible cost for the court to adjudicate these matters or presumably the Attorney General to defend actions of DRC. If the contractor prevails, the amount that the state could be ordered to pay the plaintiff for a contractual breach is uncertain.

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