



Ohio Legislative Service Commission

Jamie L. Doskocil

Fiscal Note & Local Impact Statement

Bill: [Sub. S.B. 316 of the 130th G.A.](#)
(LSC 130 1412-5)

Date: May 23, 2014

Status: In Senate Criminal Justice

Sponsor: Sen. Cafaro

Local Impact Statement Procedure Required: Yes

Contents: Law enforcement records pertaining to sexually oriented offenses

State Fiscal Highlights

- The Office of the Attorney General's Bureau of Criminal Investigation (BCI) may experience an increase in annual workload and costs related to providing packaging, labels, and postage to local law enforcement, the total costs of which are uncertain.

Local Fiscal Highlights

- Local law enforcement agencies could experience an increase in workload associated with reviewing all records and reports related to investigations of sexually oriented offenses. Such costs would likely be minimal.

Detailed Fiscal Analysis

The bill makes several requirements related to certain evidence held by local law enforcement agencies. Most notably, local law enforcement agencies will be required to:

1. Review all records and reports pertaining to its investigations of sexually oriented offenses as soon as possible after the effective date of the bill; and
2. Forward the contents of a sexual assault examination kit to the Bureau of Criminal Investigation (BCI) or another crime laboratory for DNA analysis if an analysis has not previously been performed, within 20 days after the agency determines that one or more persons may have committed or participated in a sexually oriented offense or another offense committed during the course of a sexually oriented offense.

The bill also requires BCI or a contract laboratory to perform a DNA analysis of the biological material contained in a sexual assault examination kit received pursuant to the provisions described above, and to enter the resulting DNA record into a DNA database. BCI is required to establish procedures for the forwarding of DNA specimens collected pursuant to the provisions described above. At the request of a law enforcement agency, BCI must provide such packages, labels, and postage to agencies that request them in order to comply with the requirements listed in points 1 and 2 above.

Fiscal effects

Representatives of the Buckeye State Sheriffs' Association and the Ohio Association of Chiefs of Police have indicated that there would be some costs associated with reviewing all records and reports related to investigations of sexually oriented offenses. However, such costs would likely be minimal.

As to the testing costs, under current practice, local law enforcement agencies are already encouraged to submit the contents of a sexual assault examination kit to BCI or another crime laboratory for DNA analysis in a timely manner. As such, BCI or other crime laboratories operated by local governmental jurisdictions would not likely experience an increase in workload. The Office of the Attorney General has recently taken steps to help alleviate any testing backlogs that have existed and has worked with local law enforcement to assist in identifying any potential evidence that could be eligible for testing. The cost for BCI to provide the required packaging, labels, and postage to local law enforcement is uncertain. However, it should be noted that under the Sexual Assault Forensic Examination Program (SAFE), the Office of the Attorney General currently already provides reimbursement to medical facilities offering forensic medical examinations to children and adults. These expenses are provided for by the Reparations/Crime Victims Fund (Fund 4020).