
Detailed Fiscal Analysis

Provisions of the Bill

The bill seeks to amend existing law to extend from six to twenty years the period of time within which the offenses of voluntary manslaughter, involuntary manslaughter, rape, sexual battery, corruption of a minor, gross sexual imposition, felonious sexual penetration, compelling prostitution, aggravated arson, aggravated burglary, burglary, inciting to violence, aggravated assault when the victim is a peace officer, kidnapping, robbery, and assault when the offense is a felony as described in Section 2903.13 of the Ohio Revised Code may be prosecuted.

While the bill is expected to produce the greatest impact in the prosecution of sex offenses, the actual increase in the cases prosecuted is expected to be small. Presently the approximate number of cases prosecuted is less than 1,900 per year. Based on current trends and the difficulties now associated with prosecuting cases already exempted from the existing statute of limitations, the bill is projected to result in no more than fifty additional cases per year statewide.

Effects of the Bill

At the state level, the bill could result in a potential \$130,000 increase in expenditures related to indigent defense and incarceration. The bill, which is projected to result in no more than fifty additional cases per year statewide, would, if applied to the conviction rate of 90.5 percent for similar offenses studied in Ohio Criminal Sentencing Commission research, result in approximately forty-five additional convictions per year. Furthermore, of these forty-five convictions, if the incarceration rate of 59 percent is applied, the bill could be expected to result in twenty-seven additional inmates per year. Since the present marginal cost of incarceration is estimated at \$4,015 per year, the bill should result in no more than a \$120,000 increase in yearly expenditures for incarceration. Since only a minimal amount of additional state revenue is expected to be generated, given the projected number of cases, anticipated state expenditures, combined with a potential \$10,000 increase in the state share of indigent defense costs, could result in up to a potential \$130,000 increase in state costs.

The bill is projected to produce an increase in both county revenues and expenditures. Although the bill is expected to result in a gain in revenues as the result of increased collection fines and court costs, they are not projected to offset increased expenditures in the areas of prosecution, adjudication, indigent defense, and pre-conviction incarceration. Present estimates place the county share of the cost of indigent defense and pre-conviction incarceration at approximately \$210 per case and \$52 per day respectively. However, since the exact and extended costs of these factors, as well as those of prosecution and adjudication will vary from case to case, it is not possible to attach an exact dollar amount to this local increase.

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