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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Legislative Budget
Office

S.B. 256
133rd General Assembly

Fiscal Note & Local Impact Statement

[Click here for S.B. 256's Bill Analysis](#)

Version: As Reported by House Criminal Justice

Primary Sponsors: Sens. Lehner and Manning

Local Impact Statement Procedure Required: No

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Highlights

- The notification and review costs to the Department of Rehabilitation and Correction's (DRC) Parole Board are expected to be minimal annually and absorbed utilizing existing resources. DRC may realize some marginal annual savings in its institutional operating costs, as it is generally less expensive to supervise an offender in the community than it is to incarcerate that offender in a state prison.
- The costs for the State Public Defender and county prosecutors to participate in the Parole Board's review process are expected to be minimal annually and absorbed utilizing existing resources.

Detailed Analysis

The bill prohibits a court from imposing a term of life without parole on an offender who was under the age of 18 at the time of the commission of any offense, and provides special parole eligibility dates for prisoners serving an indefinite or life sentence imposed for an offense other than aggravated murder, terrorism,¹ or any other offense or combination of offenses that involved the purposeful killing of three or more persons committed when the prisoner was less than 18 years of age.

Based on conversations with the Department of Rehabilitation and Correction (DRC) on prior bills that have included these parole eligibility provisions, LBO estimates the following:

¹ Special parole eligibility dates do not apply to a person serving a sentence for the offense of "terrorism" when the most serious underlying offense the defendant committed in the terrorism offense was aggravated murder or murder.

- Around 50 to 60 prisoners will become parole eligible immediately upon the bill's effective date.
- The number of prisoners to whom the parole eligibility provisions will apply in subsequent years is likely to be around 20 to 30 annually.
- Five to ten prisoners are likely to be released annually and subject to community supervision by DRC's Adult Parole Authority.

To the extent that certain offenders are successful in seeking parole, DRC may realize some marginal annual savings in its institutional operating costs, as it is generally less expensive to supervise an offender in the community than it is to incarcerate that offender in a state prison. The Department of Rehabilitation and Correction's marginal annual incarceration cost for a small number of additional offenders is nearly \$4,000 per offender.

The Parole Board is required: (1) to conduct a hearing to consider the prisoner's release on parole within a reasonable time once a prisoner is eligible for parole, (2) to permit the State Public Defender to appear at the hearing to support the prisoner's release, (3) to consider certain mitigating factors, and (4) to notify the State Public Defender, the victim, and the appropriate prosecuting attorney at least 60 days before the Board begins any review or proceeding.

The notification and review costs to the Parole Board are expected to be minimal annually and absorbed utilizing existing resources. The annual costs to the State Public Defender and county prosecutors to participate in the Board's review process are expected to be minimal annually and absorbed utilizing existing resources.