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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Office

H.B. 99
134th General Assembly

Final Fiscal Note & Local Impact Statement

[Click here for H.B. 99's Bill Analysis](#)

Primary Sponsor: Rep. Hall

Local Impact Statement Procedure Required: No

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Highlights

- The bill requires the Department of Public Safety to establish and maintain the Ohio School Safety and Crisis Center and the Ohio Mobile Training Team Program to provide firearms instruction and training to individuals authorized by public and nonpublic schools and appropriates \$6 million GRF in FY 2022 and FY 2023 for this purpose. The bill requires a board of education or school governing body to pay all fees for an individual's training. The magnitude of fee revenue generated will depend upon the fee charged and the demand for training.
- The bill may relieve school districts and other public schools that choose to authorize certain personnel to be armed in a school safety zone from basic peace officer training costs. However, school districts and other public schools that choose to authorize school employees to be armed may incur some smaller training costs for these employees to meet the bill's reduced training requirements. Such costs will depend on the amount of the training fees charged.
- The annual cost of performing the Bureau of Criminal Investigation's background check activities and services may increase to some small degree. These costs will be more or less offset by the fees charged to conduct a background check.

Detailed Analysis

Mobile Training Team Program

The bill establishes the Ohio Mobile Training Team Program and Ohio School Safety and Crisis Center within the Department of Public Safety to provide services regarding school safety and security to public and nonpublic schools, including firearms instruction and training, and appropriates \$6 million GRF in FY 2022 and FY 2023 for the program's operating costs. The bill requires a board of education or school governing body to pay all fees for the training that an

individual receives (see the “**School districts and other public schools**” section below for additional details on the bill’s provisions authorizing school employees to go armed in a school safety zone). The magnitude of fee revenue generated will depend upon the fee charged and the demand for training.

The bill requires the Director of Public Safety to appoint a Chief Mobile Training Officer and 16 regional mobile training officers. The duties of the Chief Mobile Training Officer include (1) administering the Ohio Mobile Training Team, (2) adopting additional qualifications and training requirements for regional mobile training officers, and (3) enforcing rules and executing additional duties prescribed by the Department. The bill permits the Chief Mobile Training Officer and regional mobile training officers to hire and maintain necessary staff and to enter into any necessary agreements to carry out their duties.

The duties of a regional mobile training officer include (1) assisting, upon request, administrators of public and nonpublic school districts with emergency management plans, (2) security protocols, (3) strategic communication between federal, state, and local law enforcement agencies in emergency situations, (4) offering tactical emergency medical services training, (5) promoting use of the SaferOH Tip Line, (6) developing a curriculum and providing initial and annual requalification firearms instruction and training, and (7) overseeing and offering training opportunities, including overseeing emergency management tests and providing weapons manipulation instruction.

School districts and other public schools

Current law generally prohibits persons from carrying firearms in a school safety zone. This prohibition does not apply to a person employed as a security officer or any other person with written authorization from a board of education or governing body of a school to be armed within a school safety zone. Current law also requires school employees serving in a law enforcement or security role in which the person is armed while on duty to complete an approved basic peace officer training program unless the person has completed 20 years of active duty as a peace officer. In March 2020, the Ohio 12th District Court of Appeals ruled the training requirement also applies to individuals other than a security officer who are authorized to be armed. The school district involved in the case, Madison Local School District, appealed the 12th District Court of Appeals’ decision to the Ohio Supreme Court, which on August 26, 2020, granted a stay of the ruling pending a final decision. On June 23, 2021, the Ohio Supreme Court affirmed the District Court of Appeals’ judgement.¹

In response to the Ohio Supreme Court’s decision, the bill exempts from basic peace officer training requirements a school employee that is authorized by their district or school to be armed so long as (1) the authorized individual is not hired in the capacity of a special police officer or security officer, (2) such a person successfully completes certain specified training requirements, and (3) the district or school provides public notice that it has authorized one or more persons to be armed within a school. The bill also requires an individual authorized to be armed to submit to an annual criminal records check. School districts and other public schools

¹ [Gabbard et al. v. Madison Local School District Board of Education \(PDF\)](#), which may be accessed on the Ohio Supreme Court’s website at supremecourt.ohio.gov/Rod/docs/ by filling in the WebCite No: 2021-Ohio-2067.

may choose to require an individual to receive more training than the training required by the bill. They may also adopt alternate curriculum and training under certain conditions, including that it must be approved by the School Safety and Crisis Center.

The bill may decrease the costs incurred by school districts and other public schools that choose to authorize individuals to be armed by reducing the training requirements for such personnel (assuming the districts or schools would have paid for basic peace officer training in response to the Ohio Supreme Court's decision). Basic peace officer training program costs vary by provider, with the total curriculum consisting of a minimum of 737 training hours.² Various tuition listings show amounts in the range of \$5,000 or more.³ In contrast, the bill requires up to 24 hours of initial training and up to eight hours of additional training annually. As noted above, the bill requires the Ohio Mobile Training Team to provide this training. It also requires school districts or other public schools that choose to authorize individuals to be armed to pay all fees for it. Thus, the bill's training requirements may result in permissive costs for districts and schools that will depend on the amount of the fees the Department of Public Safety charges for the training. There also may be additional permissive training costs for districts and schools that choose to adopt alternate curriculum and training or require training that is more extensive.

Administrative costs may increase for school districts and other public schools to notify the public if the board or governing body authorizes a person to be armed within a school safety zone. The notification may occur by whatever means the district or school regularly communicates with the public. There may also be some minimal additional administrative workload for districts and schools to (1) provide the School Safety and Crisis Center with a current list of individuals authorized to be armed who have completed the bill's training requirements and (2) provide a copy of school emergency management plans to a regional mobile training officer upon request.

Background checks

The bill's requirement that a person authorized to be armed within a school safety zone have an annual state and federal background check may minimally add to the workload of the Attorney General's Bureau of Criminal Investigation (BCI). Any associated increase in BCI's annual operating expenses will be more or less offset by the fees charged to conduct a check. BCI performs state-only background checks by comparing an individual's fingerprints against a database of criminal fingerprints to determine if there is a criminal record. BCI also administers federal background checks through the Federal Bureau of Investigation (FBI), which uses a national database to search for criminal history records. The base fees of the state-only and FBI background checks are \$22 and \$25.25, respectively. All of the fees are credited to the General

² See the Ohio Attorney General's Office [How to Become a Peace Officer in Ohio \(PDF\)](#), which may be accessed by conducting a keyword "peace officer" search at the Ohio Attorney General's Office website: ohioattorneygeneral.gov.

³ Not all peace officer training academies are available to nonlaw enforcement personnel (such as teachers or administrators that could be authorized to go armed). Some require recruits to be appointed by a law enforcement agency while others are open to anyone who meets the qualifications. Some of these latter options are provided by schools of various types, but may only be available through enrollment in an associate degree program, as in the case of Columbus State Community College.

Reimbursement Fund (Fund 1060), with \$23.25 of the FBI background check fee subsequently disbursed to the FBI.⁴

⁴ The Attorney General uses the money credited to Fund 1060 to pay for operating expenses incurred in the provision of law enforcement services, legal representation, and overall office administration.