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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 272
135th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 272's Bill Analysis](#)

Version: As Passed by the House

Primary Sponsors: Reps. Mathews and Pizzulli

Local Impact Statement Procedure Required: No

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Highlights

- County and municipal criminal justice systems may realize a savings effect because of having fewer persons to arrest, prosecute, and sanction for certain handgun-related offenses offset somewhat by a related loss in court costs, fees, and fines that might otherwise have been collected. The net annual fiscal effect of the expenditure savings and related revenue loss for any given local jurisdiction is likely to be negligible.
- Courts of common pleas may realize a minimal increase in workload and related expenses to process additional applications for relief from a weapons disability. Any increase may be offset somewhat by revenues in the form of filing fees.
- The Department of Rehabilitation and Correction (DRC) may see a relatively small decrease in the number of persons sentenced to a term of incarceration in a state prison for a handgun violation resulting in a minimal at most annual operating cost savings.
- The state will see a negligible at most loss in court cost revenue annually that might otherwise have been collected from certain felony offenders deposited to the credit of the Indigent Defense Support Fund (Fund 5DY0) and the Victims of Crime/Reparations Fund (Fund 4020).

Detailed Analysis

The bill (1) permits a concealed handgun licensee or qualifying adult to convey, possess, or have under their control a handgun within a building in which a courtroom is located, under a limited number of circumstances (see LSC's [bill analysis](#) for a detailed discussion of these circumstances), and (2) modifies the mechanism for obtaining relief from a firearms disability so that a person who was indicted in Ohio, but now resides outside of Ohio, may file for relief.

Conveyance, possession, or control of a handgun in a building where a courtroom is located

The bill may reduce the number of people charged and convicted of a violation of (1) illegal conveyance of a deadly weapon or dangerous ordnance into a courthouse, and/or (2) illegal possession or control of a deadly weapon or dangerous ordnance in a courthouse. Both offenses are a felony of the fifth degree which is punishable by a 6, 7, 8, 9, 10, 11, or 12 months definite prison term, a fine of up to \$2,500, or both. A repeat offense is a fourth degree felony which is punishable by a 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, or 18 months definite prison term, a fine of up to \$5,000, or both.¹

Based on incidents reported to the Ohio Incident Based Reporting System (OIBRS) between 2013 and 2022, an average of ten violations of the current law prohibitions against conveying, possessing, or controlling a deadly weapon or ordnance in a courthouse were reported annually.² The number of these incidents that occurred in locations where the bill would now create exceptions (e.g., a building in which a courtroom is located but is not a courthouse) is unknown. The bill may reduce that annual number of investigations and charges by some amount, but given the very limited number of locations statewide that the bill could have an impact, that number would likely be negligible.

If there are fewer criminal charges after the bill's effective date, the following fiscal impacts would result:

- There will likely be a savings effect created for county and municipal criminal justice systems because of having fewer persons to arrest, prosecute, and sanction for certain deadly weapons-related offenses. There will also be a related loss in court costs, fees, and fines that might otherwise have been collected from persons convicted of such offenses. The net annual fiscal effect of the expenditure savings and related revenue loss for any given local jurisdiction is likely to be negligible.
- There may be a relatively small decrease in the number of persons subsequently sentenced to a term of incarceration in state prison as described above. The associated annual operating cost savings for the Department of Rehabilitation and Correction (DRC) are expected to be minimal at most.
- The state will lose, at most, a negligible amount of court cost revenue annually that might otherwise have been collected from certain felony offenders. These court cost revenues, if collected, are forwarded for deposit in the state treasury to the credit of the Indigent

¹ Sentencing guidelines authorize certain community control sanctions for both fourth and fifth degree felonies in addition to the denoted prison terms and financial penalties.

² These statistics are based upon information voluntarily reported to OIBRS by participating law enforcement agencies, and may not reflect all violations statewide, since not all Ohio law enforcement agencies' data are available through OIBRS. Not all "incidents" result in an arrest or criminal charges.

Defense Support Fund (Fund 5DY0) and the Victims of Crime/Reparations Fund (Fund 4020).³

Relief from a firearms disability

Under current law, an application for relief from a firearms disability must be filed in the county in which the applicant resides which precludes a person who resides outside of Ohio from applying for relief. The bill allows a person who does not reside in Ohio and whose disability is based on an indictment, a conviction of or plea of guilty to an offense, or a delinquent child adjudication to file the application for relief in the court of common pleas of the county in which the indictment was entered or in which the conviction, guilty plea, or adjudication occurred.

As a result of the bill, the number of petitions for relief filed in the courts of common pleas may increase by a likely small amount relative to the number of cases filed in the courts generally. Increased workload may be offset somewhat by revenues in the form of filing fees.

³ The court is generally required to impose state court costs totaling \$60 for a felony divided as follows: \$30 to Fund 5DY0 and \$30 to Fund 4020.