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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 441  
135<sup>th</sup> General Assembly

## Fiscal Note & Local Impact Statement

[Click here for H.B. 441's Bill Analysis](#)

**Version:** As Introduced

**Primary Sponsors:** Reps. Edwards and A. Miller

**Local Impact Statement Procedure Required:** No

Jessica Murphy, Senior Budget Analyst, and other LBO staff

### Highlights

- Requiring a parole officer who begins employment on or after the bill's effective date to be automatically included in the Ohio Public Employees Retirement System's law enforcement division (OPERS-LE) and allowing current full-time parole officers to elect to be classified under OPERS-LE, instead of the regular state and local government employees division as under current law, would increase the departments of Rehabilitation and Correction's (DRC) and Youth Services' (DYS) costs related to retirement contributions for such officers. The estimated costs would be in the millions of dollars in the initial year.
- Requiring the state to pay the necessary amounts to cover the additional liability placed on OPERS from allowing any OPERS regular service credit earned before receipt of the parole officer's election to participate in OPERS-LE would increase costs to the state by an undetermined amount.
- To comply with the parole officer caseload limit of 50 offenders per officer, DRC expects to incur \$13.7 million in costs to hire 96 additional parole officers and support staff.

### Detailed Analysis

#### Parole officer and OPERS-LE

The bill specifies that a parole officer who begins employment on or after the bill's effective date is automatically included in the Ohio Public Employees Retirement System's law enforcement division (OPERS-LE), instead of the regular state and local government employees division as under current law.

The bill would allow an Ohio Public Employees Retirement System (OPERS) member, who is employed on the bill's effective date as a full-time parole officer by the Department of Rehabilitation and Correction (DRC) or the Department of Youth Services (DYS), to elect to be classified under OPERS-LE by no later than 90 days after the bill's effective date, instead of the OPERS regular state and local government employees division, for the purpose of benefits provided by OPERS. A member must notify OPERS of such election, on a form provided by the OPERS Board, within the designated period. The election, once made, causes the member to be considered an OPERS-LE officer and is irrevocable.

The bill specifies the treatment of service credit earned by a member before making the election. Generally, a member's service credit earned before the first day of the first month following the retirement system's receipt of the notice of election would not be considered service credit as an OPERS-LE officer; however, the member may apply to OPERS to have the member's such service credit to be considered as OPERS-LE service credit. The member and the member's employer, subject to OPERS Board rules, must pay OPERS the difference between the member and the member's employer contributions actually made and the contributions that would have been made if the member and the member's employer had been in OPERS-LE. The OPERS Board is required to notify the member and the member's employer of the amount to be paid to purchase the credit. The bill prohibits the OPERS Board from requiring the member or the member's employer to pay any additional amount, including interest or an amount equal to any percentage of the actuarial liability resulting from the purchase to the system.

The bill also classifies a person employed by DRC or DYS as a parole officer in OPERS-LE, if their employment commences on or after the effective date of this bill.

## **Additional liability**

The bill requires OPERS, on the bill's effective date or as soon as possible thereafter, to determine the additional liability, after taking into account the required amounts the member and the member's employer must pay to the system to purchase service credit, arising from purchasing any OPERS regular service credit, earned by a parole officer before the first day of the first month following the system's receipt of the parole officer's election to participate in OPERS-LE under the bill, into law enforcement service credit under OPERS-LE.

## **Fiscal effect**

### **Ongoing costs**

DRC and DYS would be the only public employers affected by the bill's OPERS provisions. The estimated increase in personnel costs to the two public employers would be in the millions of dollars in the initial year, assuming all parole officers currently employed by DRC and DYS elect to reclassify into the LE division.

Public employers contribute a set percentage of their employees' earnable salary toward their employees' pension benefits under OPERS. The table below shows employer and employee contribution rates, by division. In 2024, public employers contribute 14% of employee payroll for each employee under the OPERS regular division and 18.1% of payroll for each employee under the LE division. An OPERS member under the regular division and LE division contributes 10% and 13% of payroll, respectively. Reclassifying an OPERS member who is employed as a full-time parole officer by DRC or DYS from the OPERS regular division to the LE division would increase the required OPERS employer contribution by the difference, 4.1% of the associated payroll.

OPERS Division	Employer Contribution Rates	Employee Contribution Rates
Local	14.00%	10.00%
State	14.00%	10.00%
Law Enforcement	18.10%	13.00%
Public Safety	18.10%	12.00%

The actual number of full-time parole officers that would be employed by DRC and DYS in future years, the currently employed DRC and DYS parole officers who would elect to reclassify from the OPERS regular division to the LE division on or after the bill's effective date, and the number of such reclassified officers that chose to have their service credit under the OPERS regular division be considered as service credit as an OPERS-LE officer are undetermined. Currently, a total of 613 parole officers are employed by DRC and DYS,<sup>1</sup> with an average salary of \$60,300 annually.<sup>2</sup>

The estimated cost increase payable by DRC and DYS would be the difference between the estimated employer contribution costs under the amendment and the estimated current employer contribution costs. The estimated employer contribution costs were calculated by multiplying the estimated payroll of parole officers by the applicable employer contribution rates. The estimated costs would be in the millions of dollars in the initial year after the bill's effective date, assuming all currently employed parole officers elected to participate in the LE division. The actual cost could be lower or higher than the estimated amounts, depending on the number of officers participating in the LE division after the bill's effective date and their wages.

### **One-time costs**

In addition, if such reclassified officers chose to have their service credit under the OPERS regular division to be considered as service credit as an OPERS-LE officer, DRC, DYS, and such officers would incur additional costs. The additional cost would depend on the number of such officers that would make the consideration and the additional actuarial equivalent value associated with each officer's service credit under such consideration as determined by the OPERS actuary. The bill specifies that the OPERS Board must not require the member or the member's employers to pay any amount to OPERS in addition to the required additional costs. The bill requires the state to pay for costs associated with such additional liability.

The bill also requires OPERS to certify to the Director of Budget and Management the necessary amounts to cover the additional liability placed on the system. The bill appropriates

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<sup>1</sup> As of July 2024, DRC employed 587 parole officers and as of December 2024, DYS employed 34 parole officers with one vacant position.

<sup>2</sup> The average salary is based on probation officers and correctional treatment specialists under the Standard Occupational Classification (SOC) 211092 in Ohio, derived from May 2023 of the [Occupational Employment and Wage Statistics of the U.S. Bureau of Labor Statistics](#).

the certified amounts and requires the Director to transfer the certified amounts to the system for deposit into the Annuity and Pension Reserve Fund.

## **Parole officer caseload**

The bill would require DRC's Adult Parole Authority (APA), within one year of the bill's effective date, to establish supervision standards for parole and field officers (adult parole or field officers, juvenile parole or field officers, or a combination of adult and juvenile parole or field officers). These standards must include caseload and workload specifications for the officers. The caseload standards would limit an individual officer's caseload to no more than 50 offenders per officer, regardless of classification of the offenders. The caseload and workload specified in the standards must comport with industry standards set forth by the American Probation and Parole Association, except for the previously described limitation regarding caseloads for which there is currently no national standard. The bill provides DRC two years after establishing the required standards to ensure that the field services section has enough parole and field officers to comply with the standards, and that the officers have been trained to the extent required to comply with the standards.

### **Fiscal effect**

#### **Department of Rehabilitation and Correction**

The APA consists of the Parole Board and the Field Services section. The purpose of the Field Services section is to supervise those persons paroled, conditionally pardoned, or released from state correctional institutions to Post Release Control supervision. The Field Services section supervises 19,994 offenders in these categories, and a total of 27,568 offenders overall, as reported in DRC's budget request for the FY 2024-FY 2025 biennium.

At the end of FY 2023, the average caseload was 51.9. However, the number of cases assigned to an officer depends on the type of cases assigned to them and the associated workload. Some supervise offenders with a low risk of recidivism or violation behavior who do not require as many contacts for a set timeframe as higher risk offenders. Other caseloads consist of those identified as likely to violently re-offend and subject to increased monitoring, contacts, and surveillance. There are also specialized caseloads for the supervision of certain populations such as sex offenders, probationers, and interstate compact cases.

According to DRC, the proposed parole officer caseload limit of 50 offenders per officer is not achievable with current staffing. Implementing this limit, based on today's current supervised population, would require 96 additional parole officers and support staff, which is expected to cost approximately \$13.7 million annually. In November 2024, DRC reported having 598 parole officers on staff.

The 135<sup>th</sup> General Assembly's main operating budget (H.B. 33) appropriated \$119.7 million and \$128.7 million to GRF line item 503321, Parole and Community Operations, for FY 2024 and FY 2025, respectively. It is uncertain how much of the increased costs can be absorbed using existing budgetary resources before additional funding becomes necessary. The ability for DRC to maintain a caseload size of under 50:1 in future years depends on the size of the supervised

population, the amount of contact required based on the classification of those offenders,<sup>3</sup> staff vacancy rates, payroll costs, and available appropriations.

### **Department of Youth Services**

This bill's parole officer caseload limit will not impact DYS, as parole officer caseloads are currently well below the bill's limit. As of December 6, 2024, DYS had a total of 34 juvenile parole officers (which would allow for a combined caseload of 1,700 offenders) and a parole population of 295.

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<sup>3</sup> Offenders under APA supervision are classified using a risk assessment instrument. The level of risk determines the number of contacts required by policy.