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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
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Legislative Budget  
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S.B. 37  
135<sup>th</sup> General Assembly

## Fiscal Note & Local Impact Statement

[Click here for S.B. 37's Bill Analysis](#)

**Version:** As Passed by the House

**Primary Sponsors:** Sens. Blessing and Ingram

**Local Impact Statement Procedure Required:** No

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### Highlights

#### License suspensions

- The Bureau of Motor Vehicles (BMV) will experience some initial shifting in workload and revenue related to the license reinstatement process. Under the bill, certain driver's licenses may be reinstated earlier than they otherwise would have under existing law, and there may also be a potential longer term decrease in the overall number of license suspensions imposed over time.
- Local courts and clerks of court may experience an increase in caseload to hear appeals and motions related to driver's license suspensions that were imposed for certain drug and nondriving offenses prior to the bill's effective date, as well as an increase in administrative costs to issue supplemental citations in failure to appear in court cases. Some of the costs incurred may be at least partially offset by a filing fee charged by the court. The magnitude of the bill's impact on any given local court or clerk of court will vary by jurisdiction.

#### Specialty license plate program

- The Bureau of Motor Vehicles (BMV) may incur both one-time and ongoing costs related to contracting with a private vendor to issue specialty license plates and to oversee that program. The actual magnitude of those costs would depend on the terms of the executed contract.
- The BMV may gain certain fee and contribution revenues under the terms of the contract negotiated with the vendor. Fees to cover the cost of the contract would be deposited to the Public Safety – Highway Purposes Fund (Fund 5TM0) and the Public Safety Specialty

License Plate Contract Fund (created under the bill). Contributions established by the BMV are to be credited to the Drug Law Enforcement Fund (Fund 5ET0).

- The Joint Committee on Agency Rule Review (JCARR) may incur costs to review and approve specialty license plates under the new program. Any additional costs generated for JCARR will be minimal at most and absorbed within JCARR's existing staffing and funding levels.

### **On-track equipment**

- The bill may result in a small number of new traffic convictions related to railroad crossing violations issued by law enforcement officers annually.
- Any related costs to adjudicate these cases by local criminal justice systems would likely be offset, either in whole or in part, from revenue in the form of fines, fees, and court costs collected from violators. The state may gain a negligible amount of revenue related to the portion of fines that are remitted to the state for each conviction.

### **Emergency medical service training**

- The additional workload for the State Board of Emergency Medical, Fire, and Transportation Services and the Division of Emergency Medical Services, which serves as the Board's administrative arm, resulting from petitions to mandate emergency medical services (EMS) training for specific medical conditions may be such as to necessitate the hiring of at least one staff member.

### **Law enforcement training and civil service**

- If a municipal police department chooses to conduct a training school for prospective officers, as authorized by the bill, they will incur various supply, equipment, and program administration costs. Such costs would differ from municipality to municipality. This provision is permissive.
- Local police departments may experience some savings by forgoing the administration of a civil service examination.
- If new chief of police training is offered at locations other than the Ohio Peace Officer Training Academy, appointing political subdivisions may realize a negligible savings in terms of travel and lodging. The exemption of newly appointed chiefs that have previously worked full time as a chief from the training would also create some savings, including the time (40 hours) that otherwise would have been spent to attend the training.

### **Feminine hygiene products in correctional facilities**

- The bill will have no direct fiscal effect on the Department of Rehabilitation and Correction, as it codifies the Department's current policy.
- It appears that many of Ohio's local jails already provide feminine hygiene products at no charge. Thus, for any local jails already doing so, the bill will have no direct fiscal effect, as it codifies current policy.
- For a local jail that does not currently provide feminine hygiene products at no charge, the annual costs generated by the bill will be a function of various factors, including the

number of inmates experiencing a menstrual cycle, lengths of stay, and the operating authority's purchasing/procurement process.

## Detailed Analysis

### License suspensions

The bill modifies the law governing driver's license suspensions and their reinstatement processes. In calendar year 2022, there were a total of 263,633 active driver's license suspensions for a total of 175,931 drivers, meaning that each driver had an average of 1.5 suspensions. It is not uncommon for a driver to have multiple suspensions. The bill may shorten the duration of or eliminate altogether certain suspensions for some drivers.

### Bureau of Motor Vehicles

#### License suspension changes

##### *Certain drug offense and nondriving-related suspensions*

The bill limits when a suspension may be imposed for certain drug<sup>1</sup> and nondriving offenses, including failure to pay child support.<sup>2</sup> The bill also authorizes the reinstatement of certain licenses, in some cases at no cost, that would not be subject to suspension under the bill. The bill may initially result in some shifting in workload and revenue for the Bureau of Motor Vehicles (BMV), which is responsible for reinstating suspended licenses, as drivers with certain license suspensions may be eligible to have their suspension terminated and driver's license reinstated before they otherwise could have under current law. The BMV is expected to absorb this initial increase in workload utilizing existing resources. In addition, a minimal amount of license reinstatement fee revenue may be collected sooner than it otherwise might have been under current law.

In future years, the bill's provisions governing driver's license suspensions may reduce the number of suspensions that are imposed annually, as well as the amount of corresponding revenue that would otherwise have been collected for the BMV to reinstate those licenses had they been suspended. The savings in workload and the amount of lost revenue is likely to be minimal annually.

For calendar year 2022, there were a total of 530 active in-state drug offense suspensions, 719 out-of-state drug offense suspensions, and 241 truancy suspensions. The number of suspensions imposed for the other nondriving offenses is uncertain, as is the number of suspensions that will ultimately be impacted. However, the bill's license suspension provisions are not expected to have a significant fiscal impact on the key components of the driver's license suspension system: the BMV and local courts and clerks of courts.

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<sup>1</sup> Possession of controlled substances (when the violation is not a first, second, or third degree felony), possessing drug abuse instruments, illegal use of possession of drug paraphernalia, deception to obtain a dangerous drug, illegal processing of drug documents, abusing harmful intoxicants, and counterfeit controlled substance offenses.

<sup>2</sup> These offenses also include: habitual school truancy (in the case of a student), failure to pay a fine imposed by a court, and failure to comply with or satisfy specified court judgments within the specified time.

### ***License reinstatement fee revenue***

As a result of the bill's license suspension provisions, the Registrar may end up reinstating some licenses earlier than would otherwise have been the case and having to forego reinstatement revenue that would otherwise have been collected to satisfy the suspension. The reinstatement fee required to reinstate a license varies by type of suspension. The reinstatement fees and distribution for the bill's "**Certain drug offense and nondriving-related suspensions**" and "**License forfeiture suspensions**" as previously discussed generally are as follows:

- Drug-related and truancy-related offenses: \$40, of which \$30 is credited to the Public Safety – Highway Purposes Fund (Fund 5TM0), which is used in part to pay the BMV's expenses and \$10 is credited to the Indigent Defense Support Fund (Fund 5DY0).<sup>3</sup>
- Failure to pay child support: \$25, all of which is credited to Fund 5TM0.<sup>4</sup>
- License forfeiture: \$25, of which \$15 is credited to Fund 5TM0, and \$10 is credited to Fund 5DY0.<sup>5</sup>

The magnitude of revenue loss will depend on the number and type of suspensions that are eligible to be lifted under the bill. It is possible that a person may have a license suspension lifted and still have a suspended license if a suspension was imposed for another offense. The bill's impact on the clerks of court, who are also affected by the license suspension changes, is detailed in the "**Local courts and clerks of court**" section below.

### **Random Selection Verification Program**

The bill requires the Registrar to remove any remaining driver's license suspensions associated with the Financial Responsibility Random Verification Program that was eliminated in H.B. 62 of the 133<sup>rd</sup> General Assembly, and prohibits the Registrar from charging any fees to reinstate those licenses that are still suspended under the program.

As of January 18, 2024, the BMV reported 14,327 open Random Verification cases, nearly all of which (14,265) were still active due to owing some amount of money. The remaining 62 suspensions were still active due to failing to submit the required proof of insurance filing. Removing these remaining suspensions will result in up to \$2,139,750 (\$150 x 14,265) in reinstatement fee revenue under the bill that otherwise may have been collected and credited to Fund 5TM0.<sup>6, 7</sup> It should be noted that some people with an outstanding Random Selection

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<sup>3</sup> R.C. 4507.45.

<sup>4</sup> R.C. 3123.59.

<sup>5</sup> R.C. 4510.22.

<sup>6</sup> This amount assumes that the \$150 reinstatement fee would otherwise have been collected for each suspension and does not take into account amnesty or partial payments received.

<sup>7</sup> Presumably \$50 of each reinstatement fee would be credited to Fund 5DY0, as at the time that the program existed, that was the amount specified to be credited to Fund 5DY0 in R.C. 4509.101, which governs financial responsibility compliance violations, including reinstatement fees. The amount credited to Fund 5DY0 as a result of financial responsibility violations was reduced from \$50 for a first violation to

suspension may also have other active suspensions, therefore their license would not be eligible for reinstatement under the bill.

### **Proof of financial responsibility penalties**

The bill reduces the penalties for failing to provide proof of financial responsibility when operating a motor vehicle. The bill's impact on noncompliance violations at a traffic stop or at the time of an accident, and related revenue is two-fold. First, by increasing from 15 days to 45 days the grace period in which a person may provide proof of financial responsibility before a license suspension becomes effective, and by reducing the lookback period for repeat offenses from five years to one year, the bill may reduce the number of license suspensions imposed for noncompliance and repeat noncompliance violations. The second effect is that if fewer licenses are suspended, the BMV may collect less noncompliance reinstatement fee revenue that would be credited to Fund 5TMO than it otherwise would have collected.

In calendar year 2022, there were 94,820 noncompliance license suspensions. The bill is unlikely to affect the overall number of these suspensions. It may however affect the amount assessed to reinstate certain licenses, thereby potentially decreasing to some degree the total amount of reinstatement fee revenue generated annually. Under existing law, the reinstatement fee for a license suspended due to noncompliance is generally \$40 however, that fee increases to \$300 for a second offense within a one-year period and to \$600 for a third or subsequent offense within a one-year period. Of those amounts, \$10 is credited to Fund 5DY0 and the remainder is credited to Fund 5TMO.<sup>8</sup> These fees and their distribution are unchanged by the bill, with the exception of the elimination of the \$50 financial responsibility noncompliance fee when a person fails to voluntarily surrender the person's license, certificate of registration, or license plates.

Additionally, the bill modifies the requirement that a person whose license was suspended for noncompliance continually file proof of responsibility for three to five years after the offense by reducing that timeframe to one year for all suspensions. This change will likely result in some administrative savings for the BMV.

### **Local courts and clerks of court**

#### **Driver license suspensions**

The bill's provisions regarding driver's license suspensions for certain drug and nondriving offenses, and failure to pay child support may result in an initial increase in caseload for local courts and clerks of court related to such suspensions imposed prior to the bill's effective date. In the case of certain drug offenses and nondriving-related suspensions, individuals may file an appeal with the appropriate court to have their suspension terminated, and in the case of failure to pay child support,<sup>9</sup> individuals may file a motion with the court for limited driving privileges when they are not able to under current law.

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\$10 for any violation, regardless of the number of prior convictions, in H.B. 33 of the 135<sup>th</sup> General Assembly.

<sup>8</sup> R.C. 4509.101.

<sup>9</sup> There were 20,776 failure to pay child support suspensions in calendar year 2022.

Any costs incurred as a result of a driver's license suspension appeal or motion for limited driving privileges may be at least partially offset by a filing fee charged by the court. Whether or not a court charges a fee varies by court, as does the amount of any fee charged. A court has discretion over whether to terminate the suspension for any applicant making such a request under the bill.

Any increase in appeals or motions for limited driving privileges filed is expected to be temporary with caseloads leveling out after existing suspensions have been served. The magnitude of any initial increase is uncertain. In future years, the bill may reduce the number of license suspensions imposed for certain drug and nondriving offenses and failure to pay child support, thus potentially resulting in a minimal decrease in caseload for local courts and clerks of court.

### **Failure to appear supplemental citations**

The bill requires, rather than authorizes as under current law, a court to issue a supplemental citation to a person who fails to appear in court at least 30 days prior to issuing a summons or warrant and authorizes the issuance of the supplemental citation via electronic means. As a result, certain clerks of court may experience an increase in workload and related costs to issue supplemental citations, the magnitude of which will vary by court and depend on the number of failure to appear violations and whether the court has the capability to submit the supplemental citation electronically. The impact is likely to be greater on those jurisdictions in which the clerk does not have the ability to submit the supplemental citation electronically.

### **School notification requirements to the BMV**

The bill's provision removing the requirement that school superintendents notify the BMV of a student's withdrawal from school or habitual absence will have a negligible fiscal effect on impacted school districts, mainly in terms of administrative cost savings.

### **Driving under suspension citations**

By potentially decreasing the number of licenses suspended for certain drug and nondriving offenses and failure to pay child support, the bill may indirectly impact the number of citations issued for driving under suspension or violating certain license restrictions.

Any resulting decrease in suspensions or citations issued creates a potential expenditure savings effect for local criminal justice systems, as well as the BMV, which administers the license suspension system. Fewer subsequent convictions mean a related revenue loss in the form of fines, fees, and court costs retained by counties and municipalities, and court costs forwarded to the state. The net effect of any expenditure savings and revenue loss is likely to be minimal at most annually.

### **Specialty license plate program**

The bill requires the Registrar of Motor Vehicles to select a vendor, using a competitive selection process, to operate a specialty license plate program. The bill specifies certain terms and conditions of the contract, including requiring the Registrar to set and collect fees and contributions that are in addition to any applicable motor vehicle registration taxes and fees. The bill limits any such contract to be for a period not to exceed two years and may be extended for additional two-year terms.

Under the bill, the privately operated specialty license plate program would exist alongside the current specialty license plate process, meaning that a person could choose to obtain a specialty license plate through the Registrar or through the private vendor. The issuance of any specialty license plate and validation sticker and the collection of taxes and fees associated with the specialty license plate program remain the responsibility of the Registrar.

## **Bureau of Motor Vehicles**

The Bureau of Motor Vehicles (BMV) will incur costs related to (1) adopting rules for the specialty license plate program, (2) selecting a qualified vendor via a competitive selection process, and (3) then connecting the awarded vendor's information technology (IT) systems to the BMV systems. Additionally, the BMV may incur ongoing costs to manage and oversee the contract if one is awarded.

### **Offsetting revenues for operating the program**

One-time and ongoing program costs are likely to be offset, either in whole or in part, by the collection of additional fees that applies to specialty license plates obtained through the private vendor. These fees will be set by the contract but the bill stipulates that one fee will be credited to the Public Safety – Highway Purposes Fund (Fund 5TM0), which may be used to defray the BMV's general operating expenses. An additional fee is also authorized to be assessed to compensate the private vendor for the performance of its duties under the contract. Those fees are to be credited to the Public Safety Specialty License Plate Contract Fund, a new fund under the bill. The amount of the fee and magnitude of any revenue generated for the private vendor will depend on the terms of the contract and the number of people who choose to obtain a specialty license plate through the vendor.

### **Contributions to the Drug Law Enforcement Fund (Fund 5ET0)**

Under the terms of the contract, the Registrar is required to set a contribution amount to be deposited to the Drug Law Enforcement Fund (Fund 5ET0). The bill may result in an increase in revenue to Fund 5ET0, which is used by the Office of Criminal Justice Services located within the Department of Public Safety, to provide grants to local drug task forces to offset the costs incurred related to the enforcement of the state's drug laws and other state laws related to illegal drug activity. The magnitude of any increase will ultimately depend on the number of people who choose to utilize the services provided by the private vendor and the amount of the contribution that would apply to specialty license plates obtained through the vendor.

## **JCARR**

The bill requires the Registrar to submit all specialty license plates created under the specialty license plate program to the Joint Committee on Agency Rule Review (JCARR) for review and approval. JCARR will have final authority over the design and content of these plates. Under the bill, a quorum of the Committee is needed to approve or disapprove any proposed specialty license plate design. The potential need for additional meetings to accommodate the review of specialty license plates is uncertain and will largely depend on the extent to which applications are made through the new vendor process. In addition to the per diem, members are reimbursed

for necessary committee travel expenses.<sup>10</sup> While this broadens the scope of JCARR's duties, it is anticipated that the resulting administrative workload will be minimal and can be absorbed within existing staffing and funding levels.

## **On-track equipment**

The bill requires all drivers to stop for on-track equipment<sup>11</sup> that may be approaching a railroad crossing in the manner as already required for trains and also requires certain vehicle operators to stop, watch, and listen for on-track equipment that may be approaching a railroad crossing.

According to the Ohio Public Utilities Commission, there are more than 5,700 public grade crossings in operation across the state, spanning 5,300 miles of track. In calendar year (CY) 2023, the BMV reported a total of 166 convictions for various railroad crossing violations, which occurred in 42 counties. Most of those convictions, 101 or 61%, occurred in ten counties, averaging around ten convictions per county. Butler County saw the most convictions with 21. The remaining 65 (39%) convictions were spread across 32 other counties, while 46 counties had no convictions for railroad crossing violations.

## **Fiscal effect**

### **Enforcement and adjudication**

The bill's provisions regarding stopping for on-track equipment at a railroad crossing may result in a small increase in the number of citations issued by law enforcement officers annually, with most of those expected to be minor misdemeanors or fourth degree misdemeanors, depending on the violation. In the case of a minor misdemeanor, a law enforcement officer generally does not arrest a person, but instead issues a citation. In lieu of making a court appearance, that person can sign the guilty plea and waiver of trial provision on the citation and pay the fine and associated costs to the appropriate clerk of court either in person or by mail.<sup>12</sup> Based on the conviction data provided above, any increase in violations is expected to be relatively small and most minor misdemeanor violators will presumably sign the guilty plea and trial waiver to avoid going to court. Adjudication and related administrative costs for county and municipal courts and clerks of courts are likely to be negligible. To the extent that additional citations are issued, there will be a corresponding increase in the amount of fine, fee, and court cost revenue generated for the state and political subdivisions, potentially offsetting any new costs.

### **Possible sanctions**

Generally, a person convicted of failure to stop for a train or on-track equipment (under the bill) would be subject to the fines and penalties of a misdemeanor of the fourth degree.

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<sup>10</sup> Under continuing law, JCARR members, when engaged in committee business on days that do not coincide with a voting session in their respective chamber (House or Senate), are entitled to a per-diem payment of \$150. This expense is paid from the funds appropriated for the payment of expenses of legislative committees. In addition to the per diem, members are reimbursed for necessary committee travel expenses.

<sup>11</sup> On-track equipment generally includes the large and heavy construction, repair, and cleaning equipment used on railroads.

<sup>12</sup> R.C. 2935.26.



Additionally, under current law and now under the bill, certain other vehicles (e.g., buses, school vehicles, and specified construction vehicles) are required to stop, watch, and listen at a crossing every time for a train or on-track equipment. The penalties for these violations could range from a minor misdemeanor to a third degree misdemeanor, depending on prior violations and the type of vehicle involved.

However, the bill also authorizes a court to order an offender who was convicted of a railroad grade crossing violation (including for both trains under current law and on-track equipment under the bill) to complete a remedial safety training or presentation regarding rail safety in lieu of imposing a fine or a jail term. To the extent that a court chooses to utilize this option, it may reduce to some degree the fine revenue collected and/or expenses associated with a jail term (if one may have been imposed). This alternative sentencing option does not apply to violations of the stop, watch, and listen requirements that apply to certain vehicles (e.g., buses, school vehicles, and specified construction vehicles).

The following tables show the possible fines and jail terms for the penalty categories impacted by the bill and distribution, if collected. For a more thorough description of the circumstances for which the penalties apply, please see the bill analysis. As previously stated, the number of violations of any of the bill's expanded offenses is likely to be negligible annually compared to current caseloads.

<b>Table 1. Possible Fines and Jail Terms for Railroad Crossing Violations</b>		
<b>Offense Level</b>	<b>Fine</b>	<b>Term of Incarceration</b>
Minor misdemeanor	Up to \$150	Citation issued; no jail
Misdemeanor 4 <sup>th</sup> degree	Up to \$250	Jail, not more than 30 days
Misdemeanor 3 <sup>rd</sup> degree*	Up to \$500	Jail, not more than 60 days

\*Only applies to third and subsequent violations involving the operator of specified types of construction vehicles.

<b>Table 2. Distribution of Fines, Fees, and Court Costs for Traffic Offenses in General</b>		
<b>Financial Penalty Component</b>	<b>Amount Paid by Violator</b>	<b>Recipient of Amount</b>
Fine	Varies by offense; varies by local jurisdiction	<ul style="list-style-type: none"> <li>▪ Retained by county if violation of state law</li> <li>▪ Retained by municipality if violation of local ordinance</li> <li>▪ Forwarded for deposit into the state Security, Investigations, and Policing Fund (Fund 8400) if violator is cited by the Ohio State Highway Patrol</li> </ul>
Local court costs and fees	Varies by local jurisdiction	Generally retained by the county or municipality

**Table 2. Distribution of Fines, Fees, and Court Costs for Traffic Offenses in General**

Financial Penalty Component	Amount Paid by Violator	Recipient of Amount
State court costs (misdemeanor moving violations)	\$37.50*	Deposited in the state treasury as follows: <ul style="list-style-type: none"> <li>▪ \$25 to the Indigent Defense Support Fund (Fund 5DY0)</li> <li>▪ \$9 to the Victims of Crime/Reparations Fund (Fund 4020)</li> <li>▪ \$3.40 to the Drug Law Enforcement Fund (Fund 5ET0)</li> <li>▪ 10¢ to the Justice Program Services Fund (Fund 4P60)</li> </ul>

\*An additional \$1.50 is credited to the county or municipal indigent drivers' alcohol treatment fund under the control of the court hearing the case for moving violations.

## Emergency medical service training

The bill establishes a process by which any person may petition to request that a topic be included in a training or continuing education program for emergency medical services (EMS) agencies and practitioners. The bill specifically requires the State Board of Emergency Medical, Fire, and Transportation Services, which is housed within the Department of Public Safety, to receive and review petitions, approve or deny them, and if approved, adopt rules regarding the inclusion of the topic and the number of hours required.

As a result of the bill, the Board and the Division of Emergency Medical Services, which serves as the Board's administrative arm, would experience an increase in workload and related administrative costs to receive and review such petitions. According to the Ohio Department of Public Safety (ODPS), the Board already receives several requests to mandate EMS training for specific medical conditions, but the review process is permissive currently. If the bill is enacted, the number of such requests are expected to increase and the Board will be mandated to review and consider each request. The resulting workload may necessitate the hiring of at least one staff member to handle the petitions and additional duties imposed by the bill, according to Board representatives. Additionally, the Division of Emergency Medical Services would be required to ensure that those additional trainings are conducted and completed by their licensees.

In the event that a petition to mandate EMS training for an approved topic is approved by the Board, the bill may indirectly impact certain EMS agencies. The Board generally gives broad authority to EMS agencies in how they fund and provide that training to their employees or volunteers (i.e., online versus in person).

## Law enforcement training and civil service

### Municipal police department training schools

The bill allows municipal police chiefs to conduct training schools for prospective law enforcement officers. These training school programs must align with Ohio Peace Officer Training

Academy (OPOTA) standards and offer cadet qualifications.<sup>13</sup> Police departments that choose to conduct a training school will incur permissive costs related to supplies, equipment, and program administration, including staffing costs. Such costs would differ from municipality to municipality. The bill also allows participating departments to compensate perspective officers during the period of training with a “reasonable salary,” which is undefined by the bill.

The bill will have no discernible impact on peace officer training certification work of the Ohio Peace Officer Training Commission (OPOTC).

### **Civil service examinations**

Local police departments may see some savings by forgoing the administration of a civil service examination as allowed by the bill. Specifically, the bill allows the Director of Administrative Services (DAS) to suspend, under certain circumstances, the requirement to conduct a civil service examination to fill a vacant classified civil service position in a police department. This exemption does not apply to vacant classified civil service positions that must be filled by promotion. The Director would need to verify that competition is impracticable and the position can best be filled by a person who (1) holds a specialized certification, (2) possesses peculiar and exceptional qualifications, or (3) has completed a police cadet training program through the police department. Local police departments would need to submit satisfactory evidence to the Director to receive a suspension of the requirement. Current law allows the DAS Director to suspend the requirement that an examination be conducted to fill a position where peculiar and exceptional qualifications of a scientific, managerial, professional, or educational character are required. Therefore, DAS could likely absorb the responsibility added under the bill into an existing program of review. The demand for civil service examination suspension requests to fill police department vacancies is unknown.

### **Chief of police training**

The bill modifies requirements for chiefs of police training including the locations where the training may be held and certain exemptions for the training. The bill also allows OPOTC to establish and conduct police officer training courses to be offered to law enforcement officers at or above the rank of sergeant. The bill is not expected to increase costs for the Attorney General or political subdivisions, but rather create certain efficiencies in the management and administration of the required training for newly appointed chiefs of police.

Under the bill, the chief of police training course is required to be conducted at locations and in a manner determined by OPOTC, instead of at OPOTA as under current law. Mandatory training for newly appointed chiefs went into effect in 2018 and had been held at OPOTA’s main campus in London, Ohio until 2020. The course is currently held in Columbus as a result of the closure of the dormitories and cafeteria at the London campus. OPOTA has five regional training partners. The outcome of permitting the training to be held at one of the regional facilities or centrally in Columbus would create a savings effect for appointing political subdivisions in terms

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<sup>13</sup> OPOTA’s basic training curriculum requires a minimum of 740 hours of training. Applicants must pass a criminal background check, physical fitness test, and drug screening to qualify for an academy. To become eligible to be certified, applicants must pass the physical fitness skill assessment and a written examination.

of travel and lodging, as would the exemption of newly appointed chiefs that have previously worked full time as a chief from the training.

Under current law and unchanged by the bill, all newly appointed chiefs must attend this training within six months of appointment. Statewide, between 50 and 100 new police chiefs are appointed each year by Ohio law enforcement agencies. The cost for the Commission to conduct the 40-hour (five days) training is approximately \$2,000 per class. Two classes are held annually for a total cost of \$4,000, paid by the Attorney General from the Ohio Law Enforcement Training Fund (Fund 5LR0). These costs primarily are related to instructor fees. There are no registration fees for chiefs of police paid by political subdivisions to offset these costs.

## **Feminine hygiene products in correctional facilities**

The bill requires municipal and county correctional facilities and Department of Rehabilitation and Correction (DRC) correctional institutions housing female inmates to provide inmates experiencing a menstrual cycle with an adequate supply of feminine hygiene products at no cost to the inmates as well as access to showers with hot water at least once a day regardless of the inmate's separation from the general population (with the exception that when the facility is experiencing an emergency, as defined by the bill). The bill defines "feminine hygiene products" as meaning tampons and sanitary napkins that are used for the menstrual cycle and defines "female" as meaning of or denoting the sex that can bear offspring or produce eggs and has XX chromosomes, distinguished biologically by the production of gametes or ova that can be fertilized by male gametes.

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

According to DRC staff, the Department spent approximately \$254,000 in GRF funds to purchase feminine hygiene products in FY 2022. Effective November 15, 2022, DRC's policy has been to provide female inmates, at no charge, with as many feminine hygiene products as they require. Thus, the bill will have no direct fiscal effect on DRC, as it codifies current policy and practice.

As of February 2024, the population of DRC's three correctional institutions housing female inmates – the Ohio Reformatory for Women, the Dayton Correctional Institution, and the Northeast Reintegration Center – collectively totaled 3,430.

### **Local jails**

The information collected by LBO suggests that many of Ohio's local jails already provide feminine hygiene products to inmates experiencing a menstrual cycle at no charge. For those local jails that do, the bill will have no direct fiscal effect, as it codifies current policy.

For a local jail that does not currently provide feminine hygiene products to female inmates at no charge, the annual costs generated by the bill will be a function of various factors, including the number of inmates experiencing a menstrual cycle, lengths of stay, and the operating authority's purchasing/procurement process.