



# Ohio Legislative Service Commission

Garrett Crane

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## Fiscal Note & Local Impact Statement

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**Bill:** H.B. 164 of the 131st G.A.

**Date:** October 15, 2015

**Status:** As Passed by the House

**Sponsor:** Reps. Pelanda and Rogers

**Local Impact Statement Procedure Required:** No

**Contents:** Conviction Record Sealing Law

### State Fiscal Highlights

- **Criminal record sealing fees.** As a result of the bill, the size of the pool of persons eligible to apply to the court to have their records sealed may increase at some future date and the state's General Revenue Fund (GRF) would gain \$30 from each \$50 application fee. The amount of additional revenue that could be collected annually is uncertain.

### Local Fiscal Highlights

- **Courts of common pleas.** There is the potential for the workload of courts, clerks, probation authorities, and local prosecutors to increase in order to process additional requests to seal criminal records. The related operating costs to process those requests are uncertain, as the number of persons that may become eligible to apply is indeterminate.
- **Criminal record sealing.** The bill may, at some future date, increase the number of offenders that are eligible to apply for the sealing of their criminal records. There would be a corresponding gain in revenues from the \$50 application fee, of which a county or municipality retains \$20. The number of additional offenders that might apply is uncertain.

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## Detailed Fiscal Analysis

The bill allows persons who have been convicted of offenses that were, at the time of conviction, excluded from the operation of the Conviction Record Sealing Law to apply for sealing of their conviction record if the offense committed is later removed from the list of excluded offenses under the Conviction Record Sealing Law.

Under current law, upon the filing of a record sealing application with the clerk of court, the court sets a date for the hearing, notifies the prosecutor for the case of the hearing, and directs the appropriate probation authority to make inquiries and provide a written report concerning the applicant. Unless indigent, the applicant must pay a \$50 fee. The court forwards \$30 of the fee for deposit in the state treasury to the credit of the General Revenue Fund (GRF), with the balance (\$20) forwarded for deposit in the general revenue fund of the county or municipality as appropriate. As the number of persons that may become eligible to apply at some future date is indeterminate, any local costs to process those requests and related revenue that may be collected are indeterminable.