



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: S.B. 54 of the 131st G.A. (LSC 131 0167-6) **Date:** January 20, 2016

Status: In House Health and Aging **Sponsor:** Sen. Jones

Local Impact Statement Procedure Required: No

Contents: Bans the sale of products intended for use in electronic cigarettes that are not in child-resistant packaging

State Fiscal Highlights

- The Ohio Department of Health (ODH) would experience a minimal increase in administrative costs to adopt rules establishing standards for child-resistant packaging.
- Locals may collect and forward a negligible amount of state court costs for deposit in the state treasury to the credit of the Indigent Defense Support Fund (Fund 5DY0) and the Victims of Crime/Reparations Fund (Fund 4020).

Local Fiscal Highlights

- Local courts may experience a minimal increase in administrative costs related to additional cases for violations of the bill. However, county treasuries may experience a minimal increase in revenue from the civil penalty of up to \$1,000 established by the bill. Administrative costs may also be offset by filing fees and fine revenues collected in cases of illegal distribution of or permitting children to use liquid nicotine.
- Juvenile courts may impose a fine of up to \$100 for violations if the court finds that a child violated provisions of the bill related to the use, consumption, or possession of liquid nicotine.

Detailed Fiscal Analysis

The bill bans the sale of any liquid intended for use in electronic cigarettes that is not in child-resistant packaging. The bill requires the Ohio Department of Health (ODH) to adopt rules establishing child-resistant packaging standards for liquid nicotine containers. This requirement would lead to a minimal increase in administrative costs for ODH.

The bill requires the Department of Public Safety to enforce the laws and rules relative to child-resistant packaging for electronic cigarettes. The Department does not anticipate incurring additional costs to comply with these provisions.

The bill also generally prohibits the sale of liquid nicotine to children and prohibits the use, consumption, or possession of liquid nicotine by children. The bill expands the offenses of illegal distribution of and permitting children to use cigarettes, other tobacco products, or alternative nicotine products to include liquid nicotine.

Local courts may experience a minimal increase in administrative costs related to additional cases for violations of the bill. However, county treasuries may experience a minimal increase in revenue from the civil penalty of up to \$1,000 established by the bill for cases related to packaging standards. Administrative costs may also be offset by filing fees and fine revenues collected in cases of illegal distribution of or permitting children to use liquid nicotine. A negligible amount of state court costs may be collected locally and forwarded for deposit in the state treasury to the credit of the Indigent Defense Support Fund (Fund 5DY0) and the Victims of Crime/Reparations Fund (Fund 4020). Additionally, among other disciplinary actions, the bill permits a juvenile court to impose a fine of up to \$100 if the court finds that a child violated provisions of the bill related to the use, consumption, or possession of liquid nicotine.

Synopsis of Fiscal Effect Changes

The substitute bill (LSC 131 0167-6) generally prohibits the sale of liquid nicotine to children and prohibits the use, consumption, or possession of liquid nicotine by children. Local courts may experience a minimal increase in administrative costs related to filings for violations of the substitute bill. However, these administrative costs may be offset by court filing fees and fine revenue. A negligible amount of state court costs may be collected locally and forwarded for deposit in the state treasury to the credit of the Indigent Defense Support Fund (Fund 5DY0) and the Victims of Crime/Reparations Fund (Fund 4020). Additionally, the substitute bill permits a juvenile court to impose a fine of up to \$100 for violations.