



OHIO LEGISLATIVE SERVICE COMMISSION

Joseph Rogers

Fiscal Note & Local Impact Statement

Bill: S.B. 67 of the 132nd G.A.

Status: As Introduced

Sponsor: Sens. Gardner and Hite

Local Impact Statement Procedure Required: Yes

Subject: State Registry of Violent Offenders

State and Local Fiscal Highlights

- The cost for the Attorney General to establish and maintain the required State Registry of Violent Offenders is uncertain, as the types of offenders, the information to be included, and the means by which the information is to be obtained are all to be defined subsequent to the bill's enactment through the rule-making process. The bill is also silent on how the registry system's costs are to be paid for; there is no explicit revenue-generating mechanism.
- The local fiscal effects are uncertain, as the bill is silent on whether there is to be any role for the state's political subdivisions in the registry system, or how any related costs will be paid for.
- As county sheriffs currently handle the required registration of sex offenders and arsonists, the sheriff would appear to be the most likely local partner for the Attorney General. The number of violent offenders registering each year could be considerably larger than the current population of sex offenders and arsonists, such that many sheriffs may have to hire the equivalent of at least one full-time person. The annual payroll and related expenses for any given sheriff could easily reach \$100,000.

Detailed Fiscal Analysis

The bill: (1) requires the Attorney General, not later than December 31, 2017, to establish and maintain a State Registry of Violent Offenders (SRVO), and (2) permits the Attorney General to determine the types of violent offenders and the information to be included, to determine the means by which the information is to be obtained, to incorporate the SRVO into the existing sex offender or arsonist registry, and to adopt any rules necessary.

Under current law, an "offense of violence" is any of close to 40 or more offenses. Based on recent prison commitment data, the number of offenders that may have committed an "offense of violence" and be incorporated in the SRVO could total up to 7,000 or more each year.

The cost for the Attorney General to establish and maintain the SRVO is uncertain. If the Attorney General is able to incorporate the SRVO into the existing sex offender or arson registry, then the one-time cost is likely to be approximately \$50,000. Administration of the SRVO would likely be assigned to the vendor that currently contracts with the Attorney General to operate the sex offender and arson registries. What the additional annual cost of that duty might be is uncertain, as the size of the registrant pool will not be known until the Attorney General adopts the necessary rules. Also uncertain is the registration process itself, e.g., how will offenders be registered, what information will be obtained at the point of registration and how will it be entered into the SRVO, who will be charged with the actual registering of offenders, will there be a one-time registration or will re-registering be required, and will the community in which the offender resides be notified in any manner. As the bill does not address the financing of the SRVO, it is uncertain as to how the Attorney General will pay for the costs to establish and maintain the SRVO. There is no explicit authority for offenders to be assessed a registration fee.

The potential fiscal effect on the state's political subdivision is arguably unclear, as the bill leaves specifying the details of the SRVO to the Attorney General's rule-making process. The bill does not explicitly address their role in the SRVO. That said, if the Attorney General integrates the SRVO into the existing sex offender and arson registries, then the county sheriffs are a likely local partner. Given the size of the potential registrant pool, it would not be surprising that many, if not all, county sheriffs have to hire the equivalent of at least one full-time person to handle the SRVO registration duties. The associated annual cost, including payroll and other related expenses, could easily reach \$100,000. How a county sheriff will cover that potential annual cost is uncertain, as is the possibility that the Attorney General might have to provide some form of financial assistance to defray, at least to some degree, any costs a county sheriff will incur to perform any necessary duties and responsibilities.