



# OHIO LEGISLATIVE SERVICE COMMISSION

Joseph Rogers

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## Fiscal Note & Local Impact Statement

**Bill:** H.B. 63 of the 132nd G.A.

**Status:** As Reported by House Criminal Justice

**Sponsor:** Rep. Hughes

**Local Impact Statement Procedure Required:** No

**Subject:** Mandatory additional prison term for felonious assault resulting in permanent, serious disfigurement

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### State & Local Fiscal Highlights

- The number of convictions to which the bill's mandatory additional prison term will apply is likely to be extremely small. This means any related increase in the Department of Rehabilitation and Correction's GRF-funded incarceration expenditures will be minimal annually.
- The bill has no direct fiscal effect on political subdivisions.

### Detailed Fiscal Analysis

The bill requires the court to impose an additional prison term of six years if an offender is convicted of: (1) felonious assault, and (2) a specification that the victim suffered a permanent, serious disfigurement or substantial incapacity and the offender used an accelerant in committing the offense.

The most recently compiled data on offenders sent to prison in calendar year 2015 indicates that up to about 36 offenders, or 0.2%, out of a total intake population of 19,844, were convicted of felonious assault in which the victim required in-patient hospitalization and sustained potentially permanent disabling or disfiguring injuries. Of these 36 offenders, the number that would have also used an accelerant in the commission of the offense is likely to have been extremely small. This suggests that the combination of three elements in the same criminal act – (1) felonious assault, (2) permanent, serious disfigurement or permanent, substantial incapacity of the victim, and (3) use of an accelerant in committing the offense – likely occurs very infrequently. This means any related increase in the Department of Rehabilitation and Correction's GRF-funded incarceration expenditures as a function of the bill's mandatory additional prison term will be minimal annually.

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