



OHIO LEGISLATIVE SERVICE COMMISSION

Jessica Murphy

Fiscal Note & Local Impact Statement

Bill: H.B. 423 of the 132nd G.A.

Status: As Introduced

Sponsor: Reps. Lang and Seitz

Local Impact Statement Procedure Required: No

Subject: Masked intimidation

State & Local Fiscal Highlights

- As a result of violations of the bill's prohibition, a minimal at most amount of annual revenue, in the form 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).
- The bill may minimally increase the annual costs that a given county or municipal criminal justice system incurs to adjudicate, prosecute, and sanction offenders as the result of generating a few additional misdemeanor cases. Subsequent convictions could also generate a minimal annual gain in the amount of court cost, fee, and fine revenues that the sentencing court would generally impose on offenders.

Detailed Fiscal Analysis

The bill creates the offense of "masked intimidation," which prohibits wearing a mask in order to purposely obstruct the execution of the law, intimidate a person who is performing a legal duty, or prevent a person from exercising rights granted by the Constitution or the laws of Ohio. A violation of that prohibition is a first degree misdemeanor.

Local fiscal effect

Any additional annual costs for county and municipal criminal justice systems to prosecute, adjudicate, and sanction a few additional offenders that might be convicted as a result of the bill's prohibition are not expected to exceed minimal. The sentence associated with a first degree misdemeanor is a maximum of 180 days in jail and a fine of up to \$1,000. The court is generally permitted to impose jail time or a fine, or both. Given the relatively small number of likely convictions, the amount of additional court cost, fee, and fine revenues that counties and municipalities may actually collect annually will be no more than minimal. Also of note is that courts rarely impose the maximum permissible fine.

State fiscal effect

A few additional misdemeanor convictions stemming from the bill may generate a minimal at most annual amount of state court cost revenue that is 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). The state court costs total \$29 for a misdemeanor divided as follows: \$20 to Fund 5DY0 and \$9 to Fund 4020. It is important to note that collecting court costs and fines from certain offenders can be problematic, especially in light of the fact that many are unable or unwilling to pay.

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