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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 419  
134<sup>th</sup> General Assembly

## Fiscal Note & Local Impact Statement

[Click here for H.B. 419's Bill Analysis](#)

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

**Primary Sponsors:** Reps. Troy and Seitz

**Local Impact Statement Procedure Required:** No

Jamie Duskocil, Division Chief

### Highlights

- Local criminal justice systems may experience a minimal increase in their annual operating costs to process cases involving failure to make a mandatory report. The number of impacted cases statewide is likely to be negligible for any given jurisdiction.
- Local criminal justice systems may realize a negligible annual reduction in revenue, as the maximum fine amount decreases from \$500 to \$250.

### Detailed Analysis

The bill increases the penalty for instances when a mandatory reporter of adult abuse, neglect, or exploitation fails to make such a report, and specifies that the culpable mental state for the offense is “knowingly.”

The penalty increases from an unclassified misdemeanor offense, which is subject to only a monetary fine of \$500, to a fourth degree misdemeanor. The penalty for a fourth degree misdemeanor is a fine of not more than \$250, a possible jail term of not more than 30 days, or both. Because of this penalty enhancement, future cases filed in county and municipal courts may be impacted, possibly adding time and effort to process as the potential for jail time could add certain complexities to a case. As such, local criminal justice systems may experience a minimal increase in their annual operating costs.

Since the maximum permissible fine decreases from \$500 to \$250 under the bill, jurisdictions may realize less revenue than otherwise might have been the case under current law and practice. Judges commonly assess a fine in an amount that is less than that permitted in the law. A cursory review of adjudication data held by the Ohio Supreme Court via the Ohio Courts Network found no failure to report convictions from calendar years 2016 through 2020. It

is possible though that the data is incomplete, or a case was dismissed or resolved with a plea to a lesser charge.

Under current law, and unchanged by the bill, individuals who are subject to the mandatory reporting requirement, include, but are not limited to, attorneys, doctors, dentists, nurses, home health agency employees, nursing home employees, firefighters, peace officers, and clergy.