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OHIO LEGISLATIVE SERVICE COMMISSION

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Office

H.B. 313
135th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 313's Bill Analysis](#)

Version: As Reported by House Government Oversight

Primary Sponsors: Reps. Callender and Mathews

Local Impact Statement Procedure Required: No

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Highlights

- The annual costs for the Attorney General (including the Ohio Peace Officer Training Commission and the Ohio Peace Officer Training Academy) to perform training and certification duties are likely to be minimal at most. These costs would be offset, at least in part, by tuition fees collected from fire investigators or their employing agencies.
- The annual expenditures likely to be incurred by any given political subdivision that opts to authorize fire investigators to carry a firearm on duty will be minimal at most. These costs are permissive.
- The bill's impact on conceal carry licenses is largely cost neutral. Any licensing revenue loss would be offset by administrative cost savings experienced by the Attorney General's Bureau of Criminal Investigation and local sheriffs.

Detailed Analysis

The bill permits a "fire investigator" to carry firearms while on duty when certain training and certification requirements are met.¹ To be eligible, the investigator must be specifically authorized to carry firearms while on duty by the appropriate entity they serve or are employed by (e.g., the State Fire Marshal if the fire investigator is employed by the state; the legislative authority of the municipal corporation served by the fire department if employed by a municipal

¹ "Fire investigator" means an employee of a fire department charged with investigating fires and explosions who has been authorized to perform the duties of investigating the origin and cause of fires and explosions (using specified investigative methods). It does not include a person who is acting as a fire investigator on behalf of an insurance company or any other privately owned or operated enterprise.

fire department; the fire department chief or the chief of the fire department of the joint fire district if employed by a township). As of January 2024, there are 24 fire investigators employed by the State Fire Marshal, and approximately 1,000 employed by fire departments statewide.

The bill requires the Ohio Attorney General to adopt training rules and, via the Ohio Peace Officer Training Commission, to certify and issue appropriate certificates to fire investigators. Training may be conducted at the Ohio Peace Officer Training Academy (OPOTA) or at an approved peace officer training school.

The bill also permits a fire investigator who is authorized to carry a firearm while on duty to carry a concealed handgun without obtaining a concealed handgun license.

Fiscal effect

Political subdivisions

The bill permits the political subdivision served by a fire investigator to pay the tuition for training at OPOTA. Presumably, subdivisions could also pay the tuition costs and fees for training options that might be offered at other approved training facilities. The training-related expenditures for any subdivision are permissive and likely to be minimal at most annually, depending on the number of investigators receiving initial firearms training and annual requalification training.

There are approximately 1,000 fire investigators serving across Ohio's 1,180 fire departments. Many investigators are only part time, spending the majority of their time as firefighters or emergency medical technicians. The extent to which investigators would pursue qualification is uncertain, but likely to be relatively small. A further limiting factor is that fire departments may decide that they will not authorize investigators to carry firearms while on duty. Additionally, some of these investigators may already have been certified to carry firearms through previous employment and training.

Attorney General

Firearm training and certification

The annual ongoing costs for the Attorney General (including the Ohio Peace Officer Training Commission and OPOTA) to perform the necessary certification and training duties are expected to be minimal at most. The costs will be offset, at least to some degree, by tuition fees.

The short-term administrative work to for the Attorney General and affiliated entities to establish rules for the firearms training and to evaluate and revise as necessary will be incorporated into existing statutory rulemaking responsibilities with no discernible ongoing costs. This is largely based on the existence of existing rules for medical tactical professionals who were similarly authorized to carry firearms in June 2018. Those professionals are required to attend a basic firearms course and may attend relevant training classes at OPOTA to qualify to carry on duty, in addition to required scenario training. For comparison, the tuition to participate in scenario training at OPOTA is around \$200 according to the current course catalog.

For those who attend training at OPOTA, tuition charged and recouped would be deposited into the state treasury to the credit of the Peace Officer Training Academy Fee Fund (Fund 4210). Money in the fund is required to be used to pay costs associated with the operation of OPOTA.

Concealed carry

The bill permits a fire investigator who is authorized to carry a firearm while on duty to carry a concealed handgun without obtaining a concealed handgun license. This provision may reduce the number of new and renewed concealed handgun licenses issued annually. While the overall number of impacted licenses is uncertain, it is likely to be small. To the extent that there are fewer applications, there would be a loss in revenue tied to licensing and background check fees. Overall, the bill's impact on conceal carry licenses and fire investigators is largely cost neutral. Any licensing revenue loss would be offset by administrative cost savings experienced by the Attorney General's Bureau of Criminal Investigation (BCI) and local sheriffs.

The base cost of a concealed carry license is \$67 and the renewal is \$50 plus any additional fees (i.e., background check fees, emergency processing fees, etc.). These fees are collected locally by the county sheriff, with a portion remitted to the state. The sheriff's portion of the fee is credited to the Sheriff's Concealed Handgun License Issuance Fund. The cost of the background check is remitted to the state and is credited to the Ohio Attorney General's General Reimbursement Fund (Fund 1060), which is used in part to fund the cost of background checks performed by BCI, as well as any checks requested from the Federal Bureau of Investigation.