



OHIO LEGISLATIVE SERVICE COMMISSION

Joseph Rogers

Fiscal Note & Local Impact Statement

Bill: H.B. 278 of the 132nd G.A.

Status: As Introduced

Sponsor: Reps. Patton and Kelly

Local Impact Statement Procedure Required: No

Subject: Negligent vehicular assault

State & Local Fiscal Highlights

- The bill will have no direct fiscal effect on the state, but may occasionally increase a county or municipal criminal justice system's sanctioning costs related to a few enhanced misdemeanor convictions.

Detailed Fiscal Analysis

The bill amends the offense of vehicular assault to include negligently causing serious physical harm to a law enforcement officer while operating a motor vehicle or other specified mode of transportation, and specifies that a violation of the prohibition is a first degree misdemeanor.

A person who strikes a law enforcement officer with a motor vehicle is highly likely, under current law, to be facing at minimum a misdemeanor charge or charges, even if not first degree misdemeanor vehicular assault. By adding the standard of negligence to the existing offense of vehicular assault, it may be easier to elevate and successfully prosecute a few more cases as a first degree misdemeanor. The result may be an occasional increase in a county or municipal criminal justice system's costs, as it is typically more expensive to sanction a person for a first degree misdemeanor rather than a misdemeanor of a lesser degree. For example, the maximum jail stay for a first degree misdemeanor is 180 days, while the maximum jail stays for a second, third, and fourth degree misdemeanor are 90, 60, and 30 days, respectively. The estimated average cost of a stay in a full-service Ohio jail is \$64.45 per bed per day.

HB0278IN.docx/lb