



# OHIO LEGISLATIVE SERVICE COMMISSION

Joseph Rogers

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## Fiscal Note & Local Impact Statement

**Bill:** H.B. 457 of the 132nd G.A.

**Status:** As Introduced

**Sponsor:** Rep. Antani

**Local Impact Statement Procedure Required:** Yes

**Subject:** Modifies penalties for drug-related violations of community sanctions, parole, or post-release control

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### State & Local Fiscal Highlights

- The bill may increase the amount expended annually for state-funded residential drug treatment programs.
- The bill's net fiscal effect on local jurisdictions will depend on the number of offenders jailed versus the number of offenders admitted to a residential treatment program, their respective lengths of stay, and whether the residential drug treatment program is state-funded.

### Detailed Fiscal Analysis

The bill requires an offender serving community control, parole, or post-release control who fails a required random drug test for heroin, fentanyl, or carfentanil be held in jail or admitted to a residential treatment program for up to 30 days or until the court or the Adult Parole Authority determines the appropriate punishment. The state is required to pay the costs of the residential treatment program if the offender enters treatment before the court's or Adult Parole Authority's determination.

The number of offenders under such conditions of release that subsequently test positive for heroin, fentanyl, or carfentanil and are arrested and jailed, as well as the number of days that these offenders are held in local jails under current law and sanctioning practices is uncertain. If the number of days that offenders are held in jail under the bill awaiting disposition by the court of record exceeds the number of days such offenders are held currently, then local jail-related costs would go up. The average jail cost across the state for each offender is about \$65 per day. A 30-day jail stay would cost \$1,950 per offender (\$65 per day x 30 days).

This potential increase in local jail expenditures may be offset by the requirement that these offenders failing the random drug test be admitted instead to a state-funded residential drug treatment program for up to 30 days. To the extent there are available beds in such residential treatment programs, offenders may be diverted from jail thereby offsetting potential increases in local jail expenditures. The net fiscal effect of these two provisions on any given local jurisdiction is uncertain. The bill does not

designate either a state agency that is responsible for the costs of a state-funded residential treatment program or the manner of funding.

The cost of residential treatment programs is a function of the duration of treatment, the type of therapy/therapies, and the type of program. With regard to the cost, the Journal Health Services Research has noted the following:

- **Cost of inpatient drug treatment programs.** Weekly cost of typical inpatient alcohol and drug treatment programs ranges from \$600 to \$900 per week, with an average weekly cost of around \$790.
- **Long-term residential drug treatment programs.** Weekly costs for long-term residential treatments, including therapeutic communities, average \$668.

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