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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 248  
133<sup>rd</sup> General Assembly

## Fiscal Note & Local Impact Statement

[Click here for H.B. 248's Bill Analysis](#)

**Version:** As Introduced

**Primary Sponsors:** Reps. Powell and J. Smith

**Local Impact Statement Procedure Required:** No

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### Highlights

- As a result of a potentially small statewide reduction in arrests and convictions for weapons control violations, there may be minimal annual decreases in: (1) county criminal case processing and sanctioning costs, and (2) state incarceration costs. There may also be: (1) a minimal annual loss of fine, and court cost and fee revenues retained by counties, and (2) a negligible annual loss of court cost revenues forwarded for deposit in the state treasury.

### Detailed Analysis

The bill exempts antique firearms from the prohibitions against: (1) acquiring, having, carrying, or using a firearm while under disability,<sup>1</sup> a violation of which is a third degree felony punishable by up to five years in prison and a fine of up to \$10,000, and (2) recklessly selling, lending, giving, or furnishing a firearm to a person under disability, a violation of which is a fourth degree felony punishable by up to 18 months in prison and a fine of up to \$5,000. As a result of these exemptions, it becomes less likely that a person will violate either prohibition and thus be subject to arrest and prosecution. It appears that the number of persons that may be so affected is likely to be extremely small.

County criminal justice systems may realize reduced expenditures, as a result of having slightly fewer persons to prosecute, adjudicate, and sanction for weapons control violations. The state may also realize some savings in GRF-funded incarceration costs, as a result of a possible slight decrease in the number of offenders being sentenced to prison for felony

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<sup>1</sup> See the LSC bill analysis for an explanation of disabilities.

violations. The annual marginal cost for adding an additional offender to the prison system administered by the Department of Rehabilitation and Correction is \$3,000 to \$4,000.

The state and counties may lose relatively small amounts of annual revenue that might otherwise have been collected from violators pursuant to the order of the sentencing court. Of note is that the court rarely imposes the maximum permissible fine, and in the particular case of felonies, collecting the fine can be problematic. This is because offenders can be financially unable or unwilling to pay. The state's potential loss will be a negligible amount in court costs that, if collected, are then 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).<sup>2</sup>

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<sup>2</sup> The court is generally required to impose state court costs totaling \$60 for a felony divided as follows: \$30 to Fund 5DY0 and \$30 to Fund 4020.