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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 299
133rd General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 299's Bill Analysis](#)

Version: As Introduced

Primary Sponsor: Rep. Greenspan

Local Impact Statement Procedure Required: No

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Highlights

- The Department of Rehabilitation and Correction's annual GRF incarceration costs may minimally increase, as certain felony offenders may be sentenced to a longer prison term than might otherwise have been the case under current law and sentencing practices.
- The bill's penalty enhancements will not result in any readily discernible additional costs for a county criminal justice system to dispose of certain felony cases.

Detailed Analysis

The bill's penalty enhancements for the aggravated murder, attempted aggravated murder, or felonious assault of an off-duty corrections officer, parole officer, probation officer, or Parole Board member may result in certain offenders serving longer prison terms than they may have otherwise served under current law and sentencing practices. As a result, the Department of Rehabilitation and Correction may experience a minimal, at most, annual increase in GRF-funded incarceration costs to pay for longer prison stays, meaning any increase in the state's incarceration costs is estimated at less than \$100,000 per year.

The bill will not create any additional felony cases for county criminal justice systems to dispose of, as the offenses eligible for the bill's penalty enhancements are already felonies under current law. In addition, the number of cases in which the bill's penalty enhancements may apply in a given year is expected to be very small. Discussions with the Ohio Judicial Conference indicate that crimes in general against an off-duty corrections officer, parole officer, probation officer, or Parole Board member are extremely rare, with many judges never having seen such a case during their careers on the bench. This suggests that the bill's penalty enhancements will not result in any readily discernible additional costs for county criminal

justice systems, and are unlikely to generate any additional fine, fee, and court cost revenue for the state and counties.

By creating new circumstances under which the offense of aggravated murder or attempted aggravated murder may be committed by purposefully causing the death of an off-duty corrections officer, parole officer, probation officer, or Parole Board member, the bill could result in an individual being considered to be death eligible when the individual otherwise may not have been under current law. However, based on conversations with prosecutors, judges, and corrections officials, any such instance would be extremely rare.