OHIO LEGISLATIVE SERVICE COMMISSION

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Office of Research and Drafting

Legislative Budget Office

H.B. 5
133rd General Assembly

Fiscal Note & Local Impact Statement

Click here for H.B. 5's Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Hillyer and Leland

Local Impact Statement Procedure Required: No

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Highlights

- The annual costs associated with the implementation and administration of the Ohio Public Defender State Loan Repayment Program will depend upon the amount of available revenue and the number of participants, both of which are indeterminate. The bill conditions the program's implementation on funds being available and appropriated by the General Assembly.
- Since the income benefit (in the form of the loan repayment money) is not taxed, there is no effect on tax revenue collected.

Detailed Analysis

Loan repayment program

The bill creates the Ohio Public Defender State Loan Repayment Program under which the State Public Defender may repay an attorney's student loans if the attorney agrees to be a public defender for at least three years in a public defender shortage area. The bill creates two state funds for the implementation and administration of the program: the Ohio Public Defender State Loan Repayment Fund, consisting of gifts of money, and the Public Defender Shortage Area Fund, consisting of all damages collected from program participants who fail to fulfill their service obligations.

The annual costs associated with the implementation and administration of the Ohio Public Defender State Loan Repayment Program will depend upon the amount of available revenue and the number of participants, both of which are indeterminate. The program's implementation and administration is conditioned upon the General Assembly having appropriated funds for this purpose.

Under the program, an attorney would receive up to $50,000 for three years of service as a full-time public defender, and up to $25,000 for three years of part-time employment. For a fourth or fifth year of service, an attorney could receive up to an additional $35,000 for full-time service and $17,500 for part-time employment.

Income tax deduction

The bill also allows an income tax deduction for any amounts repaid by the state under the program that are included in the federal adjusted gross income. Since the income benefit (in the form of the loan repayment money) is not taxed, there is no effect on tax revenue collected.

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