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H.B. 345
136th General Assembly

Fiscal Note & Local Impact Statement

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Version: As Passed by the House

Primary Sponsor: Rep. LaRe

Local Impact Statement Procedure Required: No

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Highlights

- Due to the penalty enhancements included in the bill, some misdemeanor cases may shift from the jurisdiction of county and municipal courts to courts of common pleas. The number of cases that may shift is likely to be minimal for any single jurisdiction.
- For those offenders that may be subjected to the bill's penalty enhancements for voyeurism, the Department of Rehabilitation and Correction (DRC) and the Department of Youth Services (DYS) may experience additional expenditures in order to house or supervise a relatively small number of offenders for an additional or longer term of incarceration.

Detailed Analysis

The bill enhances the penalties for three circumstances generally involving the act of voyeurism. The following table details the penalty increases included in the bill.

Table 1. Sentences and Fines for Voyeurism

Offense Conditions	Degree Level	Fine (up to)	Term of Incarceration
Viewing the private areas of another, committing trespass, or otherwise surreptitiously videotaping, filming, photographing, broadcasting, streaming, or otherwise recording another in a place	**Current law penalty**		
	Misdemeanor 2nd degree	$750	Jail, not more than 90 days
	Penalty under the bill		
	Felony 5th degree (1st offense)	$2,500	6, 7, 8, 9, 10, 11, or 12 months definite prison term

Offense Conditions	Degree Level	Fine (up to)	Term of Incarceration
where there is a reasonable expectation of privacy	Felony 4th degree (subsequent offense)*	$5,000	6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, or 18 months definite prison term
Viewing the body of, or the undergarments worn by another, secretly or surreptitiously videotaping, filming, or otherwise recording another above, under, or through their clothing	**Current law penalty**		
	Misdemeanor 1st degree	$1,000	Jail, not more than 180 days
	Penalty under the bill		
	Felony 5th degree (1st offense)	$2,500	6, 7, 8, 9, 10, 11, or 12 months definite prison term
	Felony 4th degree (subsequent offense)*	$5,000	6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, or 18 months definite prison term
Viewing the private areas of a minor, committing trespass, or otherwise surreptitiously videotaping, filming, photographing, broadcasting, streaming, or otherwise recording the minor in a place where there is a reasonable expectation of privacy	**Current law penalty**		
	Felony 5th degree	$2,500	6, 7, 8, 9, 10, 11, or 12 months definite prison term
	Penalty under the bill		
	Felony 4th degree (1st offense)	$5,000	6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, or 18 months definite prison term
	Felony 3rd degree (subsequent offense)*	$10,000	9, 12, 18, 24, 30, or 36 months definite prison term

*The underlying offense could include any prior convictions of voyeurism regardless of the circumstance.

Fiscal effect

The impact of the bill on local and state criminal justice systems is expected to be minimal. The bill will not result in new cases but some number of cases, those increasing from a misdemeanor-level offense to a felony-level offense, may shift from the county and municipal courts to the courts of common pleas due to the penalty enhancements. Those that are convicted of any of the three types of voyeurism circumstances as described in the table above could be sentenced to longer terms of incarceration or supervision and could be sentenced to a term in a state facility rather than a local jail. Because offenders with prior convictions under these voyeurism offenses may receive an enhanced penalty, a slightly larger number of cases may be subject to felony-level sentencing. Given the small number of voyeurism cases statewide, the fiscal impact is likely to remain minimal.

According to the Ohio Incident-Based Reporting System (OIBRS), in CY 2025, there were approximately 250 incidents of voyeurism recorded. Some number of these incidents, a lesser

subset, may have later been charged under one of the three circumstances affected by the bill.[1] According to the Franklin County Municipal Court's annual report, there were 11 voyeurism cases adjudicated in that court in 2024. This data suggests that a small number of voyeurism cases will be impacted statewide, and costs to local criminal justice systems, especially as cases shift from the county and municipal courts to the courts of common pleas, will be minimal for any one jurisdiction.

Because of the bill's penalty enhancements, the Department of Rehabilitation and Correction (DRC) and the Department of Youth Services (DYS) may experience additional expenditures in order to house or supervise a relatively small number of offenders for an additional or longer term of incarceration. However, based on current charging and adjudication trends as well as DRC commitments, as shown below, it is expected that there will be a relatively small number of offenders subsequently sentenced to a term of incarceration in a state facility, or sentenced to a longer term as a result of this bill. Generally, fourth and fifth degree felonies receive a term of community control rather than a term of incarceration in state prison.

Table 2. DRC Prison Commitments for Voyeurism, FY 2019-FY 2023

Offense	2019	2020	2021	2022	2023
Voyeurism	2	2	1	1	1
Total Commitments	**17,126**	**13,909**	**12,020**	**14,310**	**14,417**

The associated annual operating cost increase for DRC is expected to be minimal. For context, in 2025, the marginal cost to house an offender was $13.47 per day.[2] Marginal costs are those that increase or decrease directly on a per-person basis with changes in prison population. Such costs include medical care, food service, clothing and bedding (for inmates), and mental health services. Using the 2024 daily marginal cost, it costs DRC $4,916.55 ($13.47 x 365) to house an additional individual for one year. The actual increase in costs for DRC will depend on the number of offenders who ultimately serve longer sentences under the bill than they otherwise would have under existing law, the additional length of the term, and the marginal cost per offender in each additional year of that term.

While DYS may be impacted by the bill's penalty enhancements, the overall fiscal impact would likely be negligible. DYS's average daily facility population for FY 2024 was around 500. The marginal cost to add a juvenile to that population is around $44.55 per day, or $16,261 per year. This suggests that adding a relatively small number of juveniles to that population in any given year will result in no more than a minimal increase in DYS's annual institutional care and custody costs. It should be noted that the majority of youth adjudicated by the juvenile justice system for

[1] OIBRS is a voluntary reporting program in which Ohio law enforcement agencies can submit crime statistics directly to the state and federal government. At this time, the number of law enforcement agencies submitting data to OIBRS represents approximately 81% of the population. OIBRS does not reflect final charging data or eventual sentencing, but it may provide a sense of the overall number of violations of an offense.

[2] See DRC's 2025 Annual Report (PDF).

felony-level offenses are served locally through community-based programs instead of being committed to a DYS facility.