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OHIO LEGISLATIVE SERVICE COMMISSION

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**H.B. 519
(with AM1057
and AM1235-2)
136th General Assembly**

Fiscal Note & Local Impact Statement

[Click here for H.B. 519's Bill Analysis](#)

Version: In House Public Safety

Primary Sponsor: Rep. A. White

Local Impact Statement Procedure Required: No

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Highlights

- Local criminal justice systems may experience some increase in their annual operating costs if additional persons are arrested, prosecuted, and sanctioned as a result of the bill. These costs may be offset somewhat by a related gain in court costs, fees, and fines collected. The net annual fiscal effect of the expenditure increase and related revenue gain for any given local jurisdiction is likely to be minimal.
- The bill's creation of the new "repeat motor vehicle theft juvenile offender" classification and requirements for certain sanctioning outcomes by the courts will lead to increased detention costs for the state, specifically the Department of Youth Services (DYS), and counties.
- To the extent that additional offenders are found guilty or sentenced to either community control or prison, the Department of Rehabilitation and Correction (DRC) may experience an increase in supervision/incarceration expenditures over time, although likely minimal.

Detailed Analysis

Possession of criminal tools

The bill expands the offense of possessing a criminal tool by adding the possession or control of an electronic device or tool designed or adapted to unlock or turn on a vehicle and intended to be used in a theft of a motor vehicle. Under current law, the offense of possession of criminal tools is a first degree misdemeanor for which a court may impose a jail term of not more than 180 days, a fine of up to \$1,000, or both. If circumstances indicate the device was intended to be used in the commission of a felony, the penalty elevates to a fifth degree felony which is punishable by a definite prison term of 6, 7, 8, 9, 10, 11, or 12 months, a fine of \$2,500, or both.

The bill adds an additional condition that would elevate the penalty. If the circumstances indicate that an electronic device or tool was involved in the offense (namely the theft of a motor vehicle), possessing criminal tools is a felony of the fourth degree, which is punishable by a definite prison term of 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, or 18 months, a fine of up to \$5,000, or both. Generally, fourth and fifth degree felonies are subject to mandatory community control rather than prison unless certain elements are present that would require a sentence of incarceration.

Repeat motor vehicle theft juvenile offender

The bill also creates a new “repeat motor vehicle theft juvenile offender” classification. This designation applies in instances when the child is being adjudicated a delinquent child for possessing criminal tools involving an electronic device or tool or theft of a motor vehicle and when the child has previously been adjudicated a delinquent child for committing the same offense.

Juvenile courts are required to sentence these offenders as follows: (1) commit the child to a school, camp, or other facility operated for the care of delinquent children, (2) place the child in a detention facility or district detention facility for up to 90 days, or (3) admit the child to a Department of Youth Services (DYS) facility.

Fiscal effect

Local criminal justice systems

The bill is not expected to lead to many new cases for local criminal justice systems to process. In practice, it may make existing cases easier to charge. Additionally, it is also likely a charge of possession of criminal tools as a theft offense involving a motor vehicle would not be the sole criminal charge facing an offender. To the extent that new criminal cases result from violations of the bill’s prohibitions, there could be increases in local criminal justice system costs, including investigating, prosecuting, adjudicating, and sanctioning the offender, as well as paying for defense counsel if the offender is indigent. Juvenile courts may also be impacted, but again, the bill is not expected to create new cases and would likely instead impact the manner in which existing cases are adjudicated. To the extent that there are more offenders classified as “repeat motor vehicle theft juvenile offenders,” local detention facilities or programs would experience increased costs. The cost of county juvenile detention centers varies by county and cannot be estimated.¹

System costs may be offset to some degree by the collection of fines, and court costs and fees imposed by the court. Fines are generally credited to a county’s general fund, while local court costs and fees can be deposited for a mix of general and special purposes. For misdemeanors, state court costs are \$29 and credited as follows: \$20 to the Indigent Defense Support Fund (Fund 5DY0) and \$9 to the Victims of Crime/Reparations Fund (Fund 4020). For felonies, state court costs are \$60 divided as follows: \$30 to Fund 5DY0 and \$30 to Fund 4020. The annual revenue gain to the state because of violations of the bill will be minimal at most annually.

¹ Placement of juvenile offenders does not appear to meet the necessary requirements to leverage RECLAIM funds because the bill requires placement rather than an alternative sentence, such as electronic monitoring.

Department of Rehabilitation and Correction

The Department of Rehabilitation and Correction (DRC) may be minimally impacted by the bill. However, as stated previously, fourth and fifth degree felonies are generally subject to mandatory community control rather than prison unless certain elements are present which would require incarceration. Community control is typically a less expensive sentencing option.

It is likely that a few additional offenders may be sentenced to prison as a result of the bill. DRC's 2025 Annual Report cited the current marginal cost to house an offender was \$13.47 per day, or \$4,917 per year.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. Any increase in DRC's GRF-funded incarceration costs is likely to be no more than minimal annually.

Department of Youth Services

The bill may lead to an indiscernible, but likely minimal, increase in the number of juvenile offenders sentenced to DYS custody. DYS's average daily facility population in FY 2024 was around 500 and according to representatives, there is not a significant number of youths in DYS custody for possession of criminal tools currently. Of this population, it unknown how many could have been classified as a "repeat motor vehicle theft juvenile offender" had the bill been in effect. However, any increase in repeat offenses by youth offenders would result in increased costs to the state including medical care, food service, clothing and bedding (for youth offenders), and mental health services.

According to DYS, the cost to incarcerate a youth is \$610.42 per day (institutional cost) or \$44.55 per day (marginal cost).³ The per-diem cost for Ohio's state-funded community correctional facilities is generally between \$300 and \$500 per day.

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² See DRC's 2025 Annual Report, which is available on the Department's website via keyword search "Annual Report": drc.ohio.gov.

³ Marginal cost figures are typically used when the impact to population is presumed to be low.