



OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

S.B. 214
136th General Assembly

Fiscal Note & Local Impact Statement

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Version: As Introduced

Primary Sponsor: Sen. Koehler

Local Impact Statement Procedure Required: No

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Highlights

- Local criminal justice systems will see a minimal decrease in expenses to arrest, prosecute, and sanction offenders for current law offenses related to acquiring, having, carrying, or using a firearm muffler or suppressor and a corresponding decrease in revenues in the form of court costs, fines, and fees.
- The Department of Rehabilitation and Correction will see a minimal at most reduction in annual operating expenses from incarcerating fewer offenders for current law offenses related to acquiring, having, carrying, or using a firearm muffler or suppressor.

Detailed Analysis

The bill allows a person to acquire, have, carry, or use a firearm muffler or suppressor which are classified as dangerous ordnance under current law. Under current law a violation of the prohibition against acquiring, having, carrying, or using dangerous ordnance is a fifth degree felony and a violation of the prohibition against concealed carry of dangerous ordnance is a fourth degree felony. The table below shows current law penalties for these offenses generally.

Dangerous Ordinance Felony Sentences and Fines for Offenses (Current Law)		
Offense Level	Fine	Term of Incarceration
Acquiring, having, carrying, or using dangerous ordnance (R.C. 2923.17(D))		
Felony 5 th degree	Up to \$2,500	6, 7, 8, 9, 10, 11, or 12 months definite prison term

Dangerous Ordnance Felony Sentences and Fines for Offenses (Current Law)		
Offense Level	Fine	Term of Incarceration
Concealed carry of dangerous ordnance (R.C. 2923.12(A)(3))		
Felony 4 th Degree	Up to \$5,000	6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, or 18 months definite prison term

Local criminal justice systems

As a result of the bill, local criminal justice systems may see a minimal reduction in expenses from a reduction in arrests and prosecutions related to firearm mufflers or suppressors offset somewhat by a reduction in court cost, fee, and fine revenue. For CY 2024, the Ohio Incident-Based Reporting System (OIBRS) reports 23 incidents of possession of a dangerous ordnance, and 13 incidents of concealed carry of a dangerous ordnance in CY 2024 – offenses which may include firearm mufflers or suppressors.¹ As the data shows, these types of violations are seemingly rare. Incidents of criminal activity reported to OIBRS may not ultimately result in arrest or prosecution.

Department of Rehabilitation and Correction

The Department of Rehabilitation and Correction (DRC) may also see a minimal decrease in costs related to sanctioning offenders. According to DRC's FY 2023 Commitment Report, one person was sentenced to prison with the most serious charge being unlawful possession of dangerous ordnance. The marginal cost to house an individual inmate in 2024 was \$13.47 per day, or roughly \$5,000 per year. Marginal costs are based on additional medical and mental health costs as well as food and clothing. It does not include additional security, facility, or administrative costs.

State court cost revenue

The state may also see a minimal at most reduction in locally collected state court costs. These revenues, totaling \$60 per felony offense, are deposited in the state treasury; \$30 to the credit of the Indigent Defense Support Fund (Fund 5DY0) used by the Ohio Public Defender and \$30 credited to the Victims of Crime/Reparations Fund (Fund 4020) used by the Attorney General.

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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.