

# Fiscal Note & Local Impact Statement

127<sup>th</sup> General Assembly of Ohio

Ohio Legislative Service Commission  
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BILL: **Sub. H.B. 57 (LSC 127 0148-1)** DATE: **April 9, 2008**  
STATUS: **In House Criminal Justice** SPONSOR: **Rep. Combs**  
LOCAL IMPACT STATEMENT REQUIRED: **No — Minimal cost**  
CONTENTS: **Sex offender community notification requirements**

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## State Fiscal Highlights

STATE FUND	FY 2008*	FY 2009 – FUTURE YEARS
<b>Department of Health</b>		
Revenues	- 0 -	- 0 -
Expenditures	- 0 -	No readily discernible annual cost to maintain and provide long-term care facility list

Note: The state fiscal year is July 1 through June 30. For example, FY 2007 is July 1, 2006 – June 30, 2008.

\* For the purposes of this fiscal analysis, it is assumed that any of the bill's state fiscal effects would occur sometime after FY 2008.

- **Department of Health.** Based on testimony presented by the Department before the House Criminal Justice Committee, it appears the required duty to compile, maintain, and provide as needed a list of long-term care facilities could be performed by departmental personnel without incurring significant additional expenses, and even more likely that this task can easily be absorbed within the normal daily cost of doing business.

## Local Fiscal Highlights

LOCAL GOVERNMENT	FY 2008 – FUTURE YEARS
<b>Counties</b>	
Revenues	- 0 -
Expenditures	Negligible annual community notification cost incurred by sheriff

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- **County sheriffs.** Based on the information at hand as of this writing – the number of long-term care facilities, their location relative to the number of offenders subject to community notification, and the cost per written notice – LSC fiscal staff estimates that the additional community notification costs that might be incurred by any given county sheriff will be negligible. For the purposes of this fiscal analysis, negligible means an estimated cost of less than \$1,000 annually.



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## *Detailed Fiscal Analysis*

### *Fiscally notable provisions*

For the purposes of this fiscal analysis, the bill most notably:

- Requires the county sheriff to provide written notice to a long-term care facility when certain sex offenders or child-victim offenders indicate an intent to reside or registers an address within the facility's specified geographical notification area.
- Requires the Department of Health to compile, maintain, and update twice a year (January and July) a list of long-term care facilities that contains certain information, and to provide the list, upon request, to the county sheriff who is required to provide community notification.

### *Long-term care facilities*

According to data from the Scripps Gerontology Center at Miami University, in 2005, the number of Ohio long-term care facilities, including nursing homes, residential care, and adult care facilities, totaled nearly 2,200. When these are combined with the additional facilities as specified by the bill,<sup>1</sup> LSC fiscal staff estimates the total number of long-term care facilities potentially affected by the bill to be somewhere between 2,200 and 2,500.

### *State fiscal effects*

The lone state fiscal effect associated with the bill is the requirement that the Department of Health compile, update, and maintain a list of all long-term care facilities containing certain information, and that the information be provided to a county sheriff upon request. Based on testimony presented by the Department before the House Criminal Justice Committee, it appears that this required duty could be performed by departmental personnel without incurring significant additional expenses, and even more likely that this task can easily be absorbed within the normal daily cost of doing business.

### *Local fiscal effects*

According to the Buckeye State Sheriffs' Association, there is already a process in operation under the current SORN Law for determining the specific facilities and residences that must be notified in writing of either the presence of certain registered offenders or of the intention of those offenders to locate in a particular geographical area.

The bill adds "long-term care facility" to the list of entities and persons that are to be provided a written notice, which means that a county sheriff may send out more written notices than might otherwise have been the case under current law.

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<sup>1</sup> These facilities include homes for the aging, county or district homes, adult foster homes, and facilities approved by the Veterans Administration for the placement and care of veterans.

Based on the information at hand as of this writing – the number of long-term care facilities, their location relative to the number of offenders subject to community notification, and the cost per written notice – LSC fiscal staff estimates that the additional community notification costs that might be incurred by any given county sheriff will be negligible. For the purposes of this fiscal analysis, negligible means an estimated cost of less than \$1,000 annually.

### *Synopsis of Fiscal Changes*

The only fiscally relevant distinctions between the As Introduced version of H.B. 57 and its substitute version (LSC 127 0148-1) in terms of any direct fiscal effect on the revenues or expenditures of the state or its political subdivisions relates to the provision requiring the Department of Health to compile, maintain, and update twice a year (January and July) a list of long-term care facilities that contains certain information, and to provide the list, upon request, to the county sheriff who is required to provide community notification. The bill's As Introduced version assigned those duties to the Department of Aging.

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