

Fiscal Note & Local Impact Statement

127th General Assembly of Ohio

Ohio Legislative Service Commission
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BILL: **H.B. 57** DATE: **March 15, 2007**
STATUS: **As Introduced** SPONSOR: **Rep. Combs**
LOCAL IMPACT STATEMENT REQUIRED: **No — Minimal cost**
CONTENTS: **Sex offender community notification requirements**

State Fiscal Highlights

STATE FUND	FY 2007*	FY 2008 – FUTURE YEARS
Department of Aging		
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, 2007.

* For the purposes of this fiscal analysis, it is assumed that any of the bill's state fiscal effects would occur sometime after FY 2007.

- **Department of Aging.** Based on a preliminary discussion between the Department and LSC fiscal staff, 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 2007	FY 2008	FUTURE YEARS
Counties			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	Negligible community notification cost	Negligible community notification cost	Negligible community notification cost

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.



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 Aging to compile, maintain, and update twice a year 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.

Sex and child-victim offenders

Current law

Under Ohio's Sex Offender Registration and Notification (SORN) Law, with a limited exception for a few exempt offenses, an offender convicted of a sexually oriented offense or a child-victim oriented offense, and a juvenile adjudicated for committing such an offense whom a juvenile court subjects to the SORN law, must register, provide notice of any change in, and periodically verify the person's residence address with the sheriff of the county where the person resides. The SORN law imposes similar duties on an offender convicted of such an offense, with regard to the person's school and employment addresses. As of August 16, 2006, there were 15,274 adult and 590 juvenile sex offender registrants in Ohio.

An offender or delinquent child with a duty to register must provide prior notice to the sheriff of an intent to reside in the sheriff's county if the person is a sexual or child-victim predator, a habitual sex or child-victim offender subjected to community notification, or an offender convicted of an aggravated sexually oriented offense. A county sheriff must provide victim and community notification of the registered address of an offender or delinquent child in any category described in the preceding sentence. Of the previously noted 15,864 adult and juvenile sex offender registrants, 2,544 were subject to 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 all of these are combined with the additional facilities as specified by the bill, 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 Aging 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 a preliminary discussion between the Department and LSC fiscal staff, 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 cost of each notification letter is approximately 47 cents.

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.

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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