

Fiscal Note & Local Impact Statement

127th General Assembly of Ohio

Ohio Legislative Service Commission
77 South High Street, 9th Floor, Columbus, OH 43215-6136 ♦ Phone: (614) 466-3615
♦ Internet Web Site: <http://www.lsc.state.oh.us/>

BILL: **Sub. H.B. 351** DATE: **May 19, 2008**
STATUS: **As Reported by House Judiciary** SPONSOR: **Rep. Brinkman**
LOCAL IMPACT STATEMENT REQUIRED: **No — Permissive**
CONTENTS: **County jail inmate transfers**

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

| LOCAL GOVERNMENT | FY 2008 – FUTURE YEARS |
|--|---|
| Counties Adjoining Another State (those conveying persons to another county jail) | |
| Revenues | - 0 - |
| Expenditures | Potential savings, magnitude uncertain, but could be hundreds of thousands of dollars annually for certain jurisdictions |
| Counties Receiving Jail Inmates (those housing persons from an Ohio county adjoining another state) | |
| Revenues | Potential loss, magnitude uncertain, but could be hundreds of thousands of dollars annually for certain jurisdictions and may be more or less offset by related expenditure savings |
| Expenditures | Potential revenue-related savings, magnitude uncertain, but could be hundreds of thousands of dollars annually for certain jurisdictions |

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

- **Counties transferring and receiving jail inmates.** From a fiscal perspective, presumably a county sheriff would only enter into an arrangement to convey a person or persons to an adjoining state if the total costs of doing so are equal to or less than the total costs of conveying that person or those persons to a jail in another Ohio county. Such an outcome means that the latter county would no longer incur the cost of housing the former county's persons nor collect any related financial reimbursement. The net fiscal effect on the county that would otherwise be housing another county's persons is uncertain. It seems likely though that such a county would look to expand and/or enter into arrangements with other Ohio counties that need jail beds.
- **Counties of Hamilton and Butler.** In conducting its research, LSC fiscal staff has discerned: (1) it does not appear that there would be immediate and widespread use of this permissive authority, although that does not preclude the possibility of it being so in the future, and (2) there are persons associated with Hamilton County that are actively working on the idea of conveying persons across the Ohio River to Kentucky's Campbell County Jail. The potential fiscal ramifications of implementing such an arrangement are discussed in the "Detailed Fiscal Analysis" that follows, including the impact on Butler County, which currently houses some persons conveyed from the Hamilton County Sheriff.



Detailed Fiscal Analysis

Overview

The bill most notably specifies the circumstances under which the county sheriff would be permitted to convey a person to a jail in a contiguous county in an adjoining state.

State fiscal effects

The bill will have no direct fiscal effect on the state.

Local fiscal effects

County fiscal effects generally

While conducting its research, which included conversations with a representative of the Buckeye State Sheriffs' Association, LSC fiscal staff did not find any significant evidence that Ohio's border counties, in particular the sheriff of those counties, are actively exploring the idea of conveying persons to a jail in a contiguous county in an adjoining state. Thus, at the present time, it does not appear that there would be immediate and widespread use of this permissive authority, although that does not preclude the possibility of it being so in the future. The twenty-seven (27) Ohio counties that would be authorized to utilize the bill's permissive authority are summarized in Table 1 immediately below.

| Table 1 Ohio Counties Adjoining Another State | | | |
|--|------------|----------|------------|
| Adams | Columbiana | Lawrence | Preble |
| Ashtabula | Darke | Lucas | Scioto |
| Athens | Defiance | Mahoning | Trumbull |
| Belmont | Fulton | Meigs | Van Wert |
| Brown | Gallia | Mercer | Washington |
| Butler | Hamilton | Monroe | Williams |
| Clermont | Jefferson | Paulding | |

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The above generalization aside, LSC fiscal staff has learned that there are persons associated with Hamilton County that are actively working on the idea of conveying persons across the Ohio River to Kentucky's Campbell County Jail. The potential fiscal ramifications of

implementing such an arrangement are discussed in more detail below, including the impact on Butler County, which currently houses some persons conveyed from the Hamilton County Sheriff.

Hamilton and Butler counties

Based on conversations with staff who work for the Hamilton County Board of County Commissioners Office, LSC fiscal staff has gathered the following:

- The Butler County Sheriff makes up to 400 beds per day available for persons conveyed by the Hamilton County Sheriff, and that the Hamilton County Sheriff uses approximately 300 of those beds each day.
- The average daily cost to house an inmate in the Hamilton County Jail is \$57.
- The average daily cost to the Hamilton County Sheriff to house an inmate in the Butler County Jail is \$55.
- In addition to the expense noted in the immediately preceding dot point, Hamilton County expends approximately \$250,000 per year to transport persons to the Butler County Jail.

As noted, discussions have occurred between persons associated with Hamilton County and the Campbell County Jail relative to conveying persons across the Ohio River to the latter, which is located in Kentucky. Campbell County Jail has offered to provide 100 beds to Hamilton County at a cost of \$44 per person per day. Relative to its existing financial arrangement with Butler County, this represents a savings to Hamilton County of \$11 per person per day (\$55 Butler County cost minus \$44 Campbell County cost). If the beds are fully utilized, the daily savings to Hamilton County works out to \$1,100; annualized, that savings would total around \$400,000. Campbell County Jail has also agreed to pay for all related transportation costs.

It appears as though Hamilton County would, in addition to the 100 beds being offered by Campbell County, potentially seek in the future to reallocate the 200 beds that would still be needed in Butler County to Campbell County or another county in Kentucky (the counties of Boone and/or Kenton), if the reduction in costs is deemed significant enough by Hamilton County.

Clearly, under this scenario, Butler County sheds costs of housing up to 300 Hamilton County persons and loses the related moneys that would otherwise be collected from Hamilton County. The net fiscal effect on Butler County requires further research by LSC fiscal staff, and is, as of this writing, uncertain. That said, presumably, the Butler County Sheriff would seek to fill any excess jail bed capacity by expanding and/or entering into arrangements to house persons for other Ohio jurisdictions.

LSC fiscal staff: Jeffrey R. Kasler, Budget Analyst

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