



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: H.B. 288 of the 129th G.A. **Date:** January 23, 2012
Status: As Introduced **Sponsor:** Rep. Combs

Local Impact Statement Procedure Required: No

Contents: Civil immunity and firearms exceptions for tactical EMTs

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

LOCAL GOVERNMENT

FY 2012 – FUTURE YEARS

Counties and Municipalities (courts of common pleas, municipal courts, and county courts)

Revenues	Potential loss in filing and court service fees, likely to be offset by potential savings effect
Expenditures	Potential minimal annual savings effect on court operations

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

- **Court operations.** The bill's civil immunity provision may generate some form of operational savings for local courts. This is because it could reduce the likelihood that civil actions alleging harm by certain emergency medical technicians will be filed, or, if filed, such civil actions might be more promptly adjudicated than would otherwise have been the case under current law and practice. Given there are relatively few such civil actions filed, the magnitude of any associated savings effect for any given local court will be "minimal."
- **Court filing and service fees.** The courts may experience a loss in filing and court service fees, with that loss likely to be offset by the potential savings effect noted in the preceding dot point.

Detailed Fiscal Analysis

Civil immunity

The bill extends to tactical emergency medical technicians (tactical EMTs), under certain specified circumstances, the same civil immunity afforded employees of political subdivisions. From the perspective of local civil justice systems, the most readily apparent effect of the immunity provision may be to reduce the number of tort claims that might otherwise have been filed in a court of common pleas, municipal court, or county court. An additional possibility is that, if filed, such civil actions may be resolved more promptly than might otherwise have been the case under current law and practice. Either outcome, in theory, generates some form of operational savings realized in various involved courts resulting from a decrease in judicial dockets and in the related workload of other court personnel. Since there does not appear to be a large volume of civil cases alleging harm by tactical EMTs, it is likely that the potential ongoing savings effect will be minimal.

If the number of civil actions alleging harm by a tactical EMT were reduced or curtailed, then the courts may experience a loss in filing and court service fees. However, any such savings realized by those courts in terms of their personnel and related administrative costs associated with the processing of cases is likely to offset any possible loss of court filing and service fee revenues.

Firearm exemptions

The bill specifies the circumstances under which a tactical EMT is permitted to carry or possess a firearm. The bill does not specifically require that a tactical EMT, who wishes to carry a firearm when voluntarily assisting SWAT teams, undergo any training in the use of firearms. Individual law enforcement agencies may choose to either require or provide such training, which would result in some additional training costs. Any such costs, however, are not mandated by the bill and may or may not be borne by the individual law enforcement agency.