



OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 296
136th General Assembly

Fiscal Note & Local Impact Statement

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Version: As Introduced

Primary Sponsor: Rep. M. Miller

Local Impact Statement Procedure Required: Yes

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Highlights

- Due to the delayed repayment criteria authorized under the bill, local criminal justice systems and the state will see a temporary reduction in revenues collected from fines, fees, financial sanctions, and costs assessed by the courts to certain felony offenders.
- Local courts of common pleas and clerks of courts may realize increased administration costs to implement systems to track payments due from certain offenders and the timing of those notices and collections. Costs will vary by court and depend on the court's current capabilities.

Detailed Analysis

The bill prohibits a court from requiring a felony offender to pay any outstanding court-assessed fines, fees, financial sanctions, or costs during the 180-day period following (1) the offender's release from imprisonment of one year or more, or (2) the offender's completion of a period of transitional control, whichever is later. The prohibition does not apply to restitution.

Under current law, unchanged by the bill, the court imposing a sentence upon an offender for a felony conviction may include in that sentence certain financial sanctions, unless the conviction carries a mandatory fine, and must include in that sentence any restitution owed to a victim. Those financial sanctions include, but are not limited to, fines, court costs, costs of confinement, or costs of implementing any community control sanction.

For background, in 2024, there were 63,417 new felony criminal case filings in the courts of common pleas. Only a portion of the offenders in these cases will be sentenced to imprisonment or be placed in transitional control following imprisonment at the conclusion of their trial. The average number of felony offenders released from Department of Rehabilitation and Correction (DRC) custody from 2020-2024 was 18,600 annually. It is uncertain how many of

these offenders would have been subjected to financial sanctioning and, of those, how many would have been declared indigent, thus potentially reducing some of these sanctions.

Revenues

The bill does not directly reduce revenues to courts, local law enforcement agencies, or the state over the long term, but may delay revenues by 180 days, creating a period of time following the enactment of the bill in which potentially no revenue will be collected from offenders who meet the bill's criteria. Under continuing law, sentencing courts are permitted or required to assess a number of fines, fees, costs, and financial sanctions with revenues directed to a number of government entities including the court itself, law enforcement agencies, prosecuting attorneys, and the state.

The table below shows the standard fines for felony offenses. These fines are collected by the court clerks and then made payable to the state, to a political subdivision when appropriate, or to one or more law enforcement agencies under certain circumstances. Court costs and certain fees are variable depending on which court the case is adjudicated in and are typically retained by the court.

Felony Fines for Offenses Generally	
Offense Level	Fine
Felony 1 st degree	Up to \$20,000
Felony 2 nd degree	Up to \$15,000
Felony 3 rd degree	Up to \$10,000
Felony 4 th degree*	Up to \$5,000
Felony 5 th degree*	Up to \$2,500

*The court is generally required to sentence a 4th or 5th degree felony offender to a community control sanction unless certain conditions are met (*R.C. 2929.13*).

In addition to the fines above, courts are required to assess a number of other fines depending on the offense. For example, the court is generally required to impose state court costs totaling \$60 for a felony divided as follows: \$30 to the Indigent Defense Support Fund (Fund 5DY0) and \$30 to the Reparations Fund (Fund 4020).

Actual assessment amounts and types can vary depending on the facts of the case. Due to indigence of certain offenders, actual amounts collected may often be less than the amounts assessed.

Administrative costs

It is possible that courts may need to make changes or upgrades to current administrative systems and software to accommodate this change to their current collection processes and to separate eligible offenders from noneligible offenders. Any costs will depend on the court's current administrative system and needs for any court will likely be unique to that court.

Debt collection

The Ohio Attorney General's Office has the authority by law to collect debt owed to the state including court-related debt. The bill's 180-day collection delay may indirectly affect the workload of the Office's Debt Collections Enforcement Section as some number of debt-related cases which may have become delinquent under current law and practice are delayed under the terms of the bill. Any reduction in workload and resulting expenses is likely to be temporary and not significant relative to the overall workload of the Office.