



# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 519  
136<sup>th</sup> General Assembly

## Fiscal Note & Local Impact Statement

[Click here for H.B. 519's Bill Analysis](#)

**Version:** As Introduced

**Primary Sponsor:** Rep. A. White

**Local Impact Statement Procedure Required:** No

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### Highlights

- Local criminal justice systems may experience some increase in their annual operating costs if additional persons are arrested, prosecuted, and sanctioned as a result of the bill. These costs may be offset somewhat by a related gain in court costs, fees, and fines collected. The net annual fiscal effect of the expenditure increase and related revenue gain for any given local jurisdiction is likely to be minimal.
- To the extent that additional offenders are found guilty or sentenced to either community control or prison under the Department of Rehabilitation and Correction (DRC) or to supervision under the Department of Youth Services (DYS), the state may experience an increase in supervision/incarceration expenditures over time, likely minimal.

### Detailed Analysis

The bill expands the offense of possessing a criminal tool by adding the possession or control of an electronic device or tool designed or adapted to unlock or turn on a vehicle. Under current law the possession of criminal tools is a first degree misdemeanor for which a court may impose a jail term of not more than 180 days, a fine of up to \$1,000, or both. If circumstances indicate the device was intended to be used in the commission of a felony, the penalty elevates to a fifth degree felony which is punishable by a definite prison term of 6, 7, 8, 9, 10, 11, or 12 months, a fine of \$2,500, or both. Generally, a fifth degree felony is subject to mandatory community control rather than prison unless certain elements are present and requires a sentence of incarceration.

### Fiscal effect

The bill is not expected to lead to many new cases for local criminal justice systems to process. In practice, it may make existing cases easier to charge. Additionally, it is also likely a

charge of possession of criminal tools would not be the sole criminal charge facing an offender. To the extent that new criminal cases result from violations of the bill's prohibitions, there could be increases in local criminal justice system costs, including investigating, prosecuting, adjudicating, and sanctioning the offender, as well as paying for defense counsel if the offender is indigent. If additional offenders are sentenced to jail under the misdemeanor charge, there may be a marginal annual increase in local jail expenditures.

Costs may be offset to some degree by the collection of fines, and court costs and fees imposed by the court. Fines are generally credited to a county's general fund, while local court costs and fees can be deposited for a mix of general and special purposes. For misdemeanors, state court costs are \$29 and credited as follows: \$20 to the Indigent Defense Support Fund (Fund 5DY0) and \$9 to the Victims of Crime/Reparations Fund (Fund 4020). For felonies, state court costs are \$60 divided as follows: \$30 to Fund 5DY0 and \$30 to Fund 4020. The annual revenue gain to the state because of violations of the bill will be minimal at most annually.

The Department of Rehabilitation and Correction (DRC) may also be minimally impacted by the bill. However, as stated previously, a fifth degree felony is generally subject to mandatory community control rather than prison unless certain elements are present which would require incarceration. Community control is typically a less expensive sentencing option.

It is likely that few additional offenders will be sentenced to prison as a result of the bill. DRC's 2025 Annual Report cited the current marginal cost to house an offender was \$13.47 per day, or \$4,917 per year.<sup>1</sup> Marginal costs are those that increase or decrease directly on a per-person basis with changes in prison population. Such costs include medical care, food service, clothing and bedding (for inmates), and mental health services. Any increase in DRC's GRF-funded incarceration costs is likely to be no more than minimal annually.

For cases involving juveniles, the Department of Youth Services (DYS) could experience an increase in supervision costs. DYS's average daily facility population in FY 2024 was around 500. The marginal cost to add a juvenile to that population is around \$44.55 per day, or about \$16,261 per year.

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<sup>1</sup> See DRC's 2025 Annual Report, which is available on the Department's website via keyword search "Annual Report": [drc.ohio.gov](https://drc.ohio.gov).