



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

S.B. 49
133rd General Assembly

Fiscal Note & Local Impact Statement

[Click here for S.B. 49's Bill Analysis](#)

Version: As Introduced

Primary Sponsor: Sen. Eklund

Local Impact Statement Procedure Required: No

Joseph Rogers, Senior Budget Analyst

The bill's body cavity and strip search provisions have no direct fiscal effect on the state or any of its political subdivisions. The bill expands: (1) the authorization to conduct body cavity searches to corrections officers and corrections agency employees, and (2) establishes new rules and procedures to regulate local detention facility personnel in requiring strip searches for persons detained in the facility.¹

The bill's body cavity search provision essentially allows corrections officers and employees of a corrections agency to conduct body cavity searches in a local detention facility. According to current personnel operating such facilities, body cavity searches are relatively infrequent, and are typically conducted only after a search warrant is issued. This provision is not expected to create any additional costs related to these searches. Other local body cavity search rules and procedures that may be in place are not expected to be affected by this provision.

Under current law, the rules and regulations governing strip searches are largely the same as those governing body cavity searches. In accordance with U.S. Supreme Court case law, the bill removes strip searches from the regulatory framework that governs body cavity searches. The bill will allow a local detention facility to strip search everyone processed into a facility, which is not permitted under current law. This change will not create any costs, as a person is currently required to remove clothing when issued a facility uniform. Only a few more seconds would be required to complete a strip search.

SB0049IN/lb

¹ "Local detention facility" means a county jail, municipal jail, regional jail, 12-day jail, 12-hour jail, temporary holding facility, or workhouse.