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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

S.B. 140
133rd General Assembly

Fiscal Note & Local Impact Statement

[Click here for S.B. 140's Bill Analysis](#)

Version: As Passed by the House

Primary Sponsor: Sen. Uecker

Local Impact Statement Procedure Required: No

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Highlights

- The bill may have a minimal annual fiscal effect on county and municipal criminal justice systems, as there will be some savings in prosecution and sanctioning costs related to certain Weapons Control Law violations and a related revenue loss in the form of court costs, fees, and fines.
- The bill may generate sales tax revenue credited to the state's General Revenue Fund, as it would repeal the prohibition against the manufacturing and sale of certain kinds of weapons in Ohio other than firearms or dangerous ordnance.

Detailed Analysis

The bill eliminates the prohibitions in the Weapons Control Law against: (1) manufacturing, possessing for sale, selling, or furnishing to any person other than a law enforcement agency for authorized use in police work, any brass knuckles, cestus, billy, blackjack, sandbag, switchblade knife, springblade knife, gravity knife, or similar weapon (a violation of which is a second degree misdemeanor), and (2) carrying a concealed knife, razor, or cutting instrument as a concealed deadly weapon if the knife was not used as a weapon (a violation of which generally is a first degree misdemeanor).

Criminal justice systems

The bill is likely to result in some reduction in the number of persons that otherwise might have been arrested, prosecuted, and sanctioned for certain Weapons Control Law violations. That reduction, and related savings effect, in the context of any given county or municipal criminal justice system's overall criminal caseload, is expected to be relatively small. There will also be a related loss in court costs, fees, and fines that might otherwise have been collected. The net of the savings effect and related revenue loss for any given local jurisdiction will be minimal annually.

The state may lose a negligible amount of court cost revenue that otherwise might have been collected from certain Weapons Control Law violators pursuant to the order of the sentencing court. The court is generally required to impose state court costs totaling \$29 for a misdemeanor. The \$29 misdemeanor amount is divided as follows: \$20 to the Indigent Defense Support Fund (Fund 5DY0), and \$9 to the Victims of Crime/Reparations Fund (Fund 4020).

The table below summarizes the fines and sentences for certain misdemeanor offense levels generally under existing law.

Current Law Sentencing for Certain Misdemeanor Offense Levels Generally		
Offense Level	Individual Fines	Term of Incarceration
1 st Degree Misdemeanor	Up to \$1,000	Not more than 180 days in jail
2 nd Degree Misdemeanor	Up to \$750	Not more than 90 days in jail

State sales tax revenue

The bill would permit the manufacture and sales of certain kinds of weapons in Ohio. Under current law, an Ohio resident wishing to purchase such an item would have to do so in another state or by ordering it over the internet. Though technically a resident should pay use tax on such a purchase, in practice not all use taxes are remitted that should be. The bill may thereby increase General Revenue Fund (GRF) revenue from the sales tax. LBO staff do not have an estimate of the magnitude of any such revenue gain.