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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Office

S.B. 183
134th General Assembly

Fiscal Note & Local Impact Statement

[Click here for S.B. 183's Bill Analysis](#)

Version: As Introduced

Primary Sponsors: Sens. Fedor and Kunze

Local Impact Statement Procedure Required: No

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Highlights

- The records expungement provisions will have a minimal annual fiscal effect on local criminal and juvenile justice systems, as there will be some gain in fee revenues (record expungement applications) and a minimal increase in time and effort for courts to expunge additional delinquency and criminal records.
- An expected small increase in the number of persons eligible to apply for records expungements each year may generate, at most, a minimal amount of related application fee revenue for crediting to the state's General Revenue Fund (GRF).

Detailed Analysis

The bill permits any person who is or was a victim of human trafficking to apply to the sentencing court for the expungement of the record of conviction of any offense the person's participation in which was a result of the person having been a victim of human trafficking. The bill expands the law that allows a victim of any of six specified sex offenses to obtain, in specified circumstances, expungement of conviction records of offenses that the person participated in as a result of being a victim of human trafficking so that it instead allows any victim of human trafficking to obtain the expungement of such conviction records.

According to the 2020 Ohio Attorney General's Human Trafficking Annual Report, 148 potential victims of human trafficking were identified in 2020. From 2013 to 2019, local law enforcement agencies identified and reported 1,273 potential human trafficking victims. This data suggests that, relative to the existing size of the state and local criminal and juvenile justice systems, changing their respective operations strictly related to victims of human trafficking will generate minimal annual fiscal effects. It is possible that different parts of the state may benefit

more or less from the way the bill is currently written, as arrest rates for these offenses vary widely across the state.

Under current law, there is a procedure in place to approve or deny an application to expunge the aforementioned records, including notice to the prosecutor, a hearing, and determination by the court. According to the Ohio Judicial Conference, while the bill could lead to an increased work load for the courts, the processes in the bill are similar to those already taking place. It is worth noting that individuals who are eligible under the bill to apply for a records expungement may have multiple cases, which would need to be consolidated and require additional hearings. However, given the relatively small number of new records eligible for expungement under the bill, any additional costs for local sentencing courts will be minimal at most annually.

Under the bill, a relatively small number of additional persons may be eligible to apply for expungement. Expungement applicants, unless indigent, are required to pay a \$50 fee. The \$50 application fee is divided between the state GRF (\$30) and the county general revenue fund (\$20). The annual costs for local criminal and juvenile justice systems to handle a potential increase in expungement requests will be minimal at most, with the application fee likely to offset all, or some portion, of those costs.