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H.B. 289
135th General Assembly

Fiscal Note & Local Impact Statement

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Version: As Reported by House Criminal Justice

Primary Sponsors: Reps. Robb Blasdel and Swearingen

Local Impact Statement Procedure Required: Yes

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Highlights

- Potentially longer registration periods as a result of the bill's tolling requirement will increase registration, notification, and enforcement work for some sheriffs' offices. The collection of permissive sex offender registration fees that are retained by the county may offset some of these administrative costs. For Tier I and Tier II offenders, the fees may not exceed \$25 for each registration year.
- The Attorney General's Office will incur one-time costs to modify the Sex Offender Registration and Notification (SORN) system for tolling information to be input by sheriffs for inclusion into the state's sex offender registry. These costs will be covered by a federal grant award of \$75,000.

Detailed Analysis

Tolling period of time offender has to comply with SORN Law

The bill provides that if a Tier I or Tier II offender fails to comply with the Sex Offender Registration and Notification (SORN) Law, the period of time that the offender has a duty to register is tolled for the amount of time they are in violation. In other words, the offender's time on the registry would pause for as long as they are out of compliance.

As a result, Tier I and Tier II offenders who fail to comply with their SORN duties will spend a longer length of time on the sex offender registry than otherwise under current law. According to the Attorney General, there are typically around 500 noncompliant offenders on the state's sex offender registry on any given day. That figure fluctuates day by day as offenders fall in and out of compliance. It is important to note that those numbers also include Tier III offenders who are subject to SORN duties for life and not affected by the bill's tolling provisions.

Conversations with the Buckeye State Sheriffs' Association suggest that potentially longer registration periods will significantly increase registration, notification, and enforcement work for many sheriffs' offices. The collection of permissive sex offender registration fees that are retained by the county may offset some of these administrative costs. For Tier I and Tier II offenders, the fees may not exceed \$25 for each registration year.

The Attorney General's Bureau of Criminal Investigation (BCI) will incur significant, one-time costs to modify the Sex Offender Registration and Notification system for tolling information to be input by sheriffs for inclusion into the state's sex offender registry. These costs will likely be covered by a recently awarded federal Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) grant of \$75,000.

Fixed residence address for sex offenders

Current law requires sex and child-victim offenders to provide certain information when registering a residential address, filing an intent to reside, or changing a residential address under the SORN Law, including a current residence address. The bill specifies a current "fixed" residence address must be provided, which is defined as a permanent residential address. It does not include a temporary address such as places that a homeless person stays or intends to stay. If the offender does not have a fixed address, a detailed description of the place or places at which the offender intends to reside must be provided every 30 days until they have a fixed residence address. This requirement will be subject to the existing penalties for SORN registration requirements set forth in R.C. 2950.99. It appears that the additional requirements are generally clarifying in nature with little, if any, fiscal effect.¹

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¹ A sheriff shall not refuse to register a person, register a new residence address of a person, or verify the current residence address of a person, who does not pay a fee. Unpaid fees are reported to the county commissioners who may then proceed with certain collection activities (R.C. 311.171).