



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: H.B. 208 of the 131st G.A.

Date: October 1, 2015

Status: As Reported by House Judiciary

Sponsor: Rep. Schaffer

Local Impact Statement Procedure Required: No

Contents: Offense of importuning

State Fiscal Highlights

- The bill will result in a relatively small increase in the number of offenders being sentenced to prison for a first-time importuning offense, and a corresponding, likely no more than minimal, annual increase in the Department of Rehabilitation and Correction's GRF-funded incarceration expenditures.

Local Fiscal Highlights

- The bill will affect how certain offenders are sanctioned, but is unlikely to generate any discernible ongoing costs for county criminal justice systems.

Detailed Fiscal Analysis

The bill establishes a mandatory prison term on a first offense for each of four specific prohibitions relating to a person's solicitation of another to engage in sexual activity or sexual conduct, which constitutes the offense of importuning.

According to commitment data from the Department of Rehabilitation and Correction, between calendar years 2010 and 2014, nearly 30 offenders, on average, were incarcerated each year for the offense of importuning.¹ The bill's mandatory prison term under certain circumstances will increase that number to some degree. Under current law, a first offense of importuning carries a presumption, but not a requirement, that a prison term be imposed.

The number of additional offenders likely to be committed to prison each year for a first-time importuning offense is uncertain. However, in the context of a prison system with 50,000-plus inmates and the 30 or so offenders currently committed to prison for importuning, the likely increase in the number of offenders committed for an importuning offense will be relatively small. The resulting increase in the Department of Rehabilitation and Correction's GRF-funded incarceration expenditures is likely to be no more than minimal annually.

The bill will not generate any new felony importuning cases for county criminal justice systems to process, but will likely alter the manner in which a relatively small number of offenders convicted of an importuning offense are sanctioned each year. There should, however, be no discernible ongoing effect on the annual operating costs of any given county's criminal justice system.

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¹ The average time served by these offenders is not readily available.