



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: H.B. 378 of the 131st G.A.

Date: February 16, 2016

Status: As Introduced

Sponsor: Reps. Hambley and Rezabek

Local Impact Statement Procedure Required: No

Contents: Township officer arrest authority on an interstate highway

State Fiscal Highlights

- Potential gain in state court cost revenue, largely collected from traffic law violators, and apportioned between certain state funds.¹

Local Fiscal Highlights

- Potential revenue gain in the form of fines, court costs, and fees generated from traffic law violations and distributed between counties, municipalities, and townships. Any associated costs for township law enforcement and county and municipal traffic violations bureaus that process violations will be minimal.

Detailed Fiscal Analysis

The bill expands the jurisdiction of township police districts, joint police districts, and township constables by eliminating provisions of current law that restrict: (1) enforcement of traffic and criminal laws on portions of interstate highways by townships with populations of 50,000 or less, and (2) arrest authority for townships with populations of 60,000 or less on immediately adjacent interstate highways. By eliminating these population-based restrictions, the bill grants a township officer arrest authority on an interstate highway that is located within or adjacent to the territory of the officer.

Based on conversations with township law enforcement officials, the bill's changes are not expected to have a discernible impact on any given township's law enforcement costs. Current practice indicates that law enforcement officers of at least

¹ State court costs collected from moving violations generally are apportioned between the Victims of Crime/Reparations Fund (Fund 4020), the Indigent Defense Support Fund (Fund 5DY0), the Drug Law Enforcement Fund (Fund 5ET0), and the Justice Program Services Fund (Fund 4P60).

some, if not many, townships are already out patrolling interstate highways as part of an agreement with the Ohio State Highway Patrol or the county sheriff, which generally have exclusive jurisdiction over specified vehicle-related offenses. As such, those townships will not incur any additional costs to exercise the bill's enforcement and arrest authority over the portions of interstate highway that are in, or adjacent to, the township.

For those townships that are not out currently patrolling these areas, additional costs, likely minimal at most, may be incurred if violations are contested, thereby requiring the township officer to appear in court. Any costs incurred by a county or municipality, including case processing by the traffic violations bureau, will be more or less offset by the collection of court costs and fees. A fine for a violation of state traffic law or specified vehicle-related local ordinances will be credited to the treasury of the county in which the violation occurred, while a violation of specified vehicle-related township ordinances will be credited to the treasury of the township in which the violation occurred. A violator will also be required to pay state court costs, which for a moving violation total \$37.50, and are apportioned between four state funds: the Victims of Crime/Reparations Fund (Fund 4020), the Indigent Defense Support Fund (Fund 5DY0), the Drug Law Enforcement Fund (Fund 5ET0), and the Justice Program Services Fund (Fund 4P60).

According to the 2010 census, of Ohio's 1,308 townships, seven have a population of 50,000 or more, and one has a population of 60,000 or more. There are currently 93 township police districts and no joint police districts. Under the bill, all township officers with territory within or adjacent to an interstate highway will have specified vehicle-related offense enforcement authority. The number and location of townships containing or adjacent to an interstate highway is uncertain.