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H.B. 188
133rd General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 188's Bill Analysis](#)

Version: As Reported by House Health

Primary Sponsors: Reps. Crawley and Cross

Local Impact Statement Procedure Required: No

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Highlights

- Courts may experience a minimal cost to determine if a person's disability may pose a detrimental impact to a minor and whether support services could alleviate the impact in cases involving custody, visitation, or other care arrangements.

Detailed Analysis

The bill specifies that a person's disability generally cannot be used as a reason to limit custody, parenting time, visitation, adoption, or services as a guardian or foster caregiver to a minor; exceptions are made if the disability could threaten the health, safety, or welfare of the minor. The bill permits a court, public children services agency, or other relevant entity to consider a detrimental impact determination and establishes requirements that a court is to follow when making such a determination. As part of the process, the bill requires a court to permit the disabled person to demonstrate how supportive services could alleviate any detrimental impact on the minor and permits the court to order supportive services to alleviate possible impacts. The court must make specific written findings of fact and conclusions if it is found that supportive services cannot alleviate detrimental impacts. Local courts could realize a minimal increase in costs as a result of this provision. In addition, if a court orders support services and an individual is eligible for public programs that offer these, it is possible that the state or political subdivisions could incur additional costs.