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H.B. 352
134th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 352's Bill Analysis](#)

Version: As Introduced

Primary Sponsors: Rep Ray

Local Impact Statement Procedure Required: No

Ryan Sherrock, Economist

Highlights

- Courts may experience a 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. The impact is anticipated to be minimal.

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 necessary to serve the best interests 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 an increase in costs due to this provision. The costs are likely to be minimal. 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.