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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 Passed by the House

Primary Sponsors: Reps. Crawley and 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 reasonable modifications and support services could alleviate that impact in cases involving custody, visitation, or other care arrangements. The cost is anticipated to be minimal.

Detailed Analysis

The bill specifies that a person's disability cannot be used as a reason to deny or limit custody, parenting time, visitation, adoption, or services as a guardian or foster caregiver to a minor, except when a court makes a detrimental impact determination. The bill permits a court to determine that a person who has a disability has or could have a detrimental impact on a minor. The bill also establishes requirements that a court is to follow when making such a determination. As part of the process, a court must require an evaluation to determine how reasonable modifications and supportive services could alleviate any detrimental impact on the minor and permits the court to order reasonable modifications and supportive services to alleviate possible impacts. The court must make specific written findings of fact and conclusions if it is found that reasonable modifications and 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 reasonable modifications and 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.