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Fiscal Note & Local Impact Statement

Click here for H.B. 635's Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Plummer and Young

Local Impact Statement Procedure Required: No

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Highlights

- The Department of Children and Youth (DCY) will likely experience an increase in information technology (IT) costs to expand access to the statewide automated child welfare information system (SACWIS), to ensure system security, and to train any new SACWIS users. These costs are indeterminate at this time.
- Law enforcement agencies will experience an increase in workload and administrative costs to enter alleged incidents of domestic violence into SACWIS. These increases will vary based on the number of entries performed and resources available to conduct the new duties. It is unclear how many agencies can absorb the work utilizing existing staff and resources.
- DCY may experience an increase in costs to publish additional data on its child welfare electronic dashboard, to monitor public children services agency (PCSA) visitation compliance, and to include new or expanded courses in the Ohio Child Welfare Training Program.
- DCY may realize an increase in costs if enrollment in Help Me Grow or Part C Early Intervention is increased as a result of the bill's provisions. These costs will depend on the number of new children enrolled in these programs. However, some PCSAs already refer children under age three to the Help Me Grow Central Intake and Referral system when appropriate. The system allows families to access both early intervention and home visiting services.
- PCSAs will likely experience a significant increase in PCSA staff travel time and expenses related to the bill's increased visitation requirements.

- PCSAs will also likely realize additional costs related to legal counsel, court costs, and staff time to prepare for court proceedings related to the bill's requirement to use a traditional response in all physical abuse cases.
- The Department of Rehabilitation and Correction and the Department of Youth Services will experience an increase in population and expenses as a result of the bill's (1) expansion of the offense of aggravated murder to include purposefully causing the death of a person under 18 years of age, and (2) the required ten-year mandatory prison sentence for victims of felonious assault who are under 18 or over 65 years of age. Based on present day cost figures, such an increase in bed counts could result in annual expenditure increases of varying magnitude, peaking several years after the bill's enactment.
- The expansion of the offense of aggravated murder could result in one or more death penalty cases. A single death penalty case would be fiscally significant for any county responsible for trying and sentencing defendants in such cases.
- The bill's expansion of the offense of endangering children may result in a relatively small statewide increase in criminal cases handled by county and municipal criminal justice systems. Any additional costs are likely to be minimal at most annually. Revenue in the form of court costs, fees, and fines may offset those costs to some degree.

Detailed Analysis

The bill makes various changes regarding child welfare and child welfare agency requirements. The bill also modifies criminal penalties for certain crimes against children and the elderly.

Child welfare programs are administered by public children services agencies (PCSAs). Federal Title IV-B allows states to claim child welfare administrative costs and child welfare program costs. Administrative costs claimed to the grant are capped at 10% of Title IV-B expenses. States are also permitted to claim expenditures for family preservation, support services, caseworker visitation, and adoption promotion services. Funds from Title IV-B are predominantly allocated to PCSAs. The state match requirement is 25%. Counties must use eligible state funding or provide local funds to meet this requirement. In addition, federal Title IV-E funds are also used for child welfare activities, including foster care, adoption assistance, and kinship programs. Funds are used for out-of-home placement, administrative, and training costs, as well as statewide automated child welfare information system (SACWIS) maintenance. Title IV-E out-of-home placements are reimbursed at the federal financial participation amount (about 65% federal in FY 2026), while administration and SACWIS costs are reimbursed at 50%. Training costs can be reimbursed at 75%.

SACWIS – domestic violence entries

The bill requires a law enforcement agency to enter into SACWIS all alleged incidents of domestic violence that it responded to in the preceding week. The bill also requires a PCSA that is investigating a report of child abuse or neglect or has filed a complaint with a juvenile court alleging that the child is an abused, neglected, or dependent child to examine SACWIS to determine if a law enforcement agency has previously documented any alleged domestic violence offense involving the child.

SACWIS is operated by the Department of Children and Youth (DCY) in partnership with county PCSAs. A variety of users enter and update information in SACWIS including PCSAs, private child placing agencies (PCPAs), private noncustodial agencies, and certain court personnel. It is likely that DCY will experience an increase in costs to allow additional users to enter information into SACWIS. Law enforcement agencies do not currently have authority to access or enter information. All information contained in SACWIS is confidential. Additionally, since training is required before an individual can obtain SACWIS access, DCY will experience an increase in costs to provide training to law enforcement agencies on how to use SACWIS and ensure confidentiality. DCY will likely experience an increase in information technology (IT) costs to expand access to the system, allow additional data to be entered, and to ensure system security. PCSAs may experience a minimal increase in costs or staff time in order to examine SACWIS for any alleged domestic violence offenses involving a child under the circumstances specified above. These costs are indeterminate. However, the number of law enforcement staff and the volume of cases are both large. Some federal Title IV-E reimbursements could be received for SACWIS updates and training.

For local enforcement agencies, this new process will reportedly require additional personnel time, potentially affecting the allocation of resources. It is unclear how many agencies can absorb the work utilizing existing staff and resources. The precise impact will vary by factors such as jurisdiction size, staffing levels, and the volume of cases handled, however, it may be significant for some agencies. According to the 2025 Domestic Violence Report published by the Ohio Bureau of Criminal Investigation, law enforcement agencies reported nearly 60,000 domestic dispute calls in 2025.

Case plans

The bill requires that all case plans for children under three years old in temporary custody must require child and family participation in the Help Me Grow Program and, if the child is eligible, participation in Part C Early Intervention. It is possible that both programs would realize an increase in enrollment and costs. However, it appears that some PCSAs may already refer children under age three to the Help Me Grow Central Intake and Referral system when appropriate. The system allows families to access both early intervention and home visiting services if eligible. In fact, according to the FY 2025 Annual Report: Central Intake and Referral (PDF), there were over 63,300 system referrals for home visiting processed in FY 2025. Of these, over 36,200 came via Medicaid and over 27,000 came from non-Medicaid sources. Of the non-Medicaid referrals, 20% (5,400 referrals) came from a PCSA. Additionally, of the over 44,000 early intervention referrals, over 3,500 came from a PCSA.

Weekly visits

The bill requires a PCSA to conduct weekly in-person visits with a child who is in the PCSA's custody if the child is under five years old or has a developmental disability. The bill also increases the minimum frequency of visits a PCSA or PCPA is required to make with a child in a residential facility. Under the bill, a PCSA or PCPA with custody of a child who is under the care or supervision of a residential facility must conduct weekly, rather than monthly as in current law, in-person visits to the facility to determine the child's well-being. The agency must report each visit, in addition to maintaining documentation of each visit and reporting concerns about the child as in continuing law. DCY is required to monitor compliance with the bill's visitation requirements for children in residential facilities. DCY must submit a quarterly compliance report to the county

commissioners of the county where the facility is located. If a PCSA or PCPA is compliant, the county is to receive access to GRF funding to incentivize best practices.

In January 2026, there were over 14,000 children in care,[1] according to DCY's Interactive Children Services Dashboard. Of these, over 1,000 were in a "children's residential center" placement type. As a result, the bill's requirements increasing visitation to children in custody as outlined above will likely significantly increase PCSA staff travel time and expenses.[2] This is due to the number of children and the fact that many of these children are placed outside of the county in which they are in custody or even potentially out of state. Additionally, costs would increase to document each visit. It is possible that reporting could be automated under SACWIS, though PCSA staff will realize an increase in time spent documenting visits if this is not available. DCY will also experience an increase in costs to monitor compliance and submit compliance reports to county commissioners. These costs will depend on what DCY's current procedures are for overseeing PCSAs and to what extent these would allow DCY to monitor these new duties (e.g., are there DCY staff devoted to this that could absorb these duties or do DCY staff currently collect similar information). There may also be costs to update SACWIS to allow automated reporting. The bill limits certain GRF funds to counties that maintain compliance with the bill's provisions. H.B. 96 of the 136th General Assembly earmarks $7.5 million in each fiscal year in GRF line item 830506, Family and Children Services, which may be used to incentivize best practices. Any changes to the distribution of this funding will depend on each PCSA's compliance.

PCSA cooperation and information sharing

Under the bill, if a PCSA receives a report of child abuse or neglect and the child resides in a county other than the county served by that PCSA or lives in both the county served by the PCSA that received the report and another county, all of the following apply: (1) the PCSA that received the report must immediately notify the PCSA served by the other county, (2) the PCSAs must jointly determine which agency will serve as the lead agency before a case is filed in court, and (3) the PCSAs must jointly investigate the report until they determine which agency will serve as the lead agency. The bill requires a PCSA that jointly investigates a report of child abuse or neglect with another PCSA to share case information with the other agency as needed or requested. If custody or supervision of a child transfers from one PCSA to another, all information regarding the child, including any case plan, must be transferred. It is possible that PCSAs could experience a minimal increase in administrative costs to make any changes necessary to procedures to comply with the bill's provisions; however, the Ohio Administrative Code (O.A.C.) currently outlines a process for determining the lead agency.[3]

Differential response approach

The bill requires a PCSA, after categorizing a report as abuse or neglect, to respond to each report of any physical abuse using a traditional response versus an alternative response. A traditional response encourages engagement with the family in (1) a comprehensive evaluation

[1] Care can include various custody types including agency authority, emergency custody, permanent custody or surrender, temporary custody, etc.

[2] PCSA funding consists of federal, state, and local sources, including levy funds.

[3] O.A.C. 5180:2-36-02.

of the child's current and future safety needs, and (2) a fact finding process to determine whether child abuse or neglect occurred and the circumstances surrounding the alleged harm or risk of harm. In contrast, an alternative response does not include a determination whether abuse or neglect occurred. Currently, a traditional response is used if physical abuse results in serious injury or creates a serious and immediate risk to a child's health and safety. PCSAs and local courts could realize an increase in costs, as the traditional response may require additional investigative activities and court involvement. PCSAs would likely realize additional costs related to legal counsel, court costs, and staff time to prepare for court proceedings. The costs would depend on the number and complexity of such cases, as well as if any additional out-of-home placements were required as a result of this change.

In-service caseworker training

In addition to the training courses required in continuing law, the bill requires a caseworker's first year training to include a course on disability assessment and specifies that the existing course requirement on interviewing persons must include analytical skills to improve interviewing skills. DCY could realize an increase in costs to develop or include these course changes within the Ohio Child Welfare Training Program. The costs would depend on what courses were currently offered and if any similar topics could be easily adapted to cover this information.

Child welfare electronic dashboard

The bill requires DCY to develop a public electronic dashboard to publish, by county, the following data reported to DCY: (1) the number of children residing in the county, (2) the number of children in the custody of a PCSA or PCPA, (3) the number of children in each placement type, and (4) the average length of stay for a child in each placement type. DCY is required to publish the data monthly and submit a copy of the data to each board of county commissioners monthly. DCY currently publishes half of this information on the DataOhio Interactive Children Services Dashboard website on a monthly basis. The information not reported are the number of children residing in a county and the average length of stay. As a result, DCY will experience an increase in costs to expand the data published and to submit data to boards of county commissioners monthly.

Crimes involving children and the elderly

The bill modifies criminal penalties for certain crimes against children and the elderly. The fiscal impact of these changes will primarily be in the length of incarceration or type of sanctioning for existing offenders charged for conduct that is generally already prosecutable under current law. For felony offenses, the bill will result in a "stacking effect" on bed counts in state institutions, including the Department of Youth Services (DYS).[4] For misdemeanor offenses, county jails may see an increase in the number of offenders sentenced to jail. These specific impacts are discussed in detail below.

While exact population impacts are uncertain, certain operational costs are provided. For context, DYS's average daily facility population in FY 2025 was around 570. The marginal cost to add a juvenile to that population is around $41.24 per day, or about $15,053 per year. Due to the seriousness of the offenses covered by the bill, some youth may be tried as adults, and thus

[4] "Stacking" refers to the increase in the prison population that occurs as certain offenders currently serving time stay in prison longer while the number of new offenders entering the prison system does not decrease.

sanctioned to a Department of Rehabilitation and Correction (DRC) facility. If the offender is not tried as an adult and sanctioned to DYS, the offender would be released upon reaching the age of 21.

LBO has requested a population and cost impact statement from DRC and will update this fiscal note when that information becomes available.[5] Generally, DRC advises LBO which formula is appropriate for the circumstances described under a bill. However, if population numbers are expected to increase beyond current anticipated rates, the institutional cost scenario is typically advised. LBO will update this analysis if additional information is provided by DRC. Until then, the two cost basis scenarios are summarized as follows.

DRC marginal cost scenario

According to the DRC 2025 Annual Report, the average marginal cost to house an additional offender was $13.47 per day or $4,917 per year. Marginal costs, as defined by DRC, are those that increase or decrease directly on a per-person basis with changes in prison population. The major categories that comprise marginal costs, from largest to smallest, are:

- Medical (pharmaceuticals, medical supplies, hospitalization, and ambulance services);
- Food Service;
- Storeroom/Quartermaster (clothing, mattresses, and sheets and blankets); and
- Mental Health (pharmaceuticals and mental health supplies).

DRC institutional cost scenario

According to the DRC 2025 Annual Report, the average institutional cost to house an offender was $109.57 per day or $39,993 per year. Institutional costs are calculated by dividing all DRC operating costs by the number of housed offenders, for a certain period of time. Included in this cost are items such as employee salaries, building costs and maintenance, and other items of expense that are incurred regardless of inmate population.

Aggravated murder

The bill expands the definition of aggravated murder to include purposefully causing the death of a person under 18 years of age, rather than under 13 as in current law. Aggravated murder currently carries a sentence of life imprisonment with parole eligibility after 20, 25, or 30 years; life without parole; or death, based on the circumstances present.[6]

According to data reported by the Ohio Department of Health, an average of 51 people aged 14 through 17 died as a result of homicide annually from 2020 through 2025,[7] meaning that roughly 50 additional offenders may be eligible to be prosecuted and sanctioned for aggravated murder who may have otherwise been prosecuted and sanctioned for murder. Offenses of aggravated murder committed by adults may also be eligible for the death penalty if one or more specified aggravating factors is proved beyond a reasonable doubt.

[5] R.C. 5120.51.

[6] R.C. 2929.03.

[7] data.ohio.gov/wps/portal/gov/data/view/mortality.

For those offenders already serving a term of incarceration, they will likely be sentenced to additional time in prison and moved to a higher security facility, as required under the bill (at a greater cost to DRC). It is also likely that a number of new offenders could be sentenced to longer terms if their offense involved a victim under the expanded category as described above.

According to DRC's most recent published data on the average time served in prison for a felony offense (2016), the average time served for a murder offender is 24.46 years, and the average time served for an aggravated murder offender is 31.76 years.[8] A single offense of murder elevated to aggravated murder results in an additional 7.3 years in prison. However, the actual time served by an offender for a life sentence, with or without the possibility of parole, or if a death sentence is imposed is likely to vary. This is based on several factors, including the offender's age at the time of sentencing and general health of the offender over time, both of which have generally been recognized to play a role in the number of years a prisoner will ultimately spend in prison. Other factors impacting the actual time served for a death sentence include the length of the appeals process, whether all appeals are exhausted, and the state's ability to carry out executions.[9]

As a result of the expanded offense, there will likely be an elevation of certain cases currently charged as a homicide, manslaughter, or murder to being charged as aggravated murder. The county is responsible for trying and sentencing defendants in aggravated murder cases. This includes both the costs for the prosecution and defense counsel, as many defendants in murder cases are indigent. Any aggravated murder trial, regardless of the presence of a death specification, will likely incur costs for expert witness consultation and testimony, psychologists, and investigators. Those costs are not likely to differ significantly based solely on the presence or absence of a death specification. However, death penalty cases are bifurcated, meaning there are two phases: a guilt phase and a penalty phase. As such, many of the costs incurred in the guilt phase tend to be duplicated in the penalty phase, thereby significantly increasing the overall costs to try a death penalty case. Other costs, such as jury compensation, defense mitigation and prosecution experts, the number of defense attorneys required, and defense counsel compensation vary by case and by county. Additional costs also may be incurred by the Office of the State Public Defender to reimburse counties for all or a portion of their costs incurred in the provision of legal representation to indigent defendants.

Felonious assault

The bill adds a mandatory ten-year prison term for victims of felonious assault who are under 18 or over 65 years of age and suffer permanent disabling harm. Under current law, if a victim is under ten and suffers permanent disabling harm, the offense is a second degree felony generally punishable by up to eight years in prison, a required mandatory term of six years in prison for permanent disabling harm, and a fine of up to $15,000.

[8] See DRC's 2016 Time Served Report.

[9] In December 2020, due to an inability to procure execution drugs, Governor DeWine announced that the state must choose a method of execution other than lethal injection before Ohio can resume executions. To date, Ohio has not done so. However, if Ohio were to authorize a different method of execution and the bill resulted in the imposition of death sentences that could otherwise not have been imposed under current law, DRC would incur costs to carry out those death sentences.

According to DRC's most recent published data on the average time served in prison for a felony offense (2016), the average time served for felonious assault is 7.62 years. A mandatory ten-year term would possibly result in an additional 2.38 years in prison per offender, assuming all other case characteristics remain the same.

Endangering children

The bill expands the offense of endangering children to prohibit a person who is temporarily caring for a child from, without the express consent of the child's parent, guardian, or custodian, negligently placing the child in the care of an offender who has been convicted of or pleaded guilty to child endangerment. A violation is a first degree misdemeanor punishable by not more than 180 days in jail and a fine of up to $1,000.

If the bill results in additional misdemeanor criminal cases, there will be an increase in operating expenses for county and municipal criminal justice systems because of having additional persons to arrest, prosecute, defend (if indigent), and sanction. Costs may be offset to some degree by the collection of fines, and court costs and fees imposed by the court. Fines are generally credited to a county's general fund, while local court costs and fees can be deposited for a mix of general and special purposes. For misdemeanors, state court costs are $29 and credited as follows: $20 to the Indigent Defense Support Fund (Fund 5DY0) and $9 to the Victims of Crime/Reparations Fund (Fund 4020). If additional offenders are sentenced to jail, there may be a marginal annual increase in local incarceration expenditures. The 2024 average cost for an inmate in Ohio's jails was $93.70 per bed per day for full-service jails.[10]

Other provisions

The bill makes other changes that should not have a significant fiscal impact. For example, the bill requires the disclosure of certain information necessary to ensure a child's safety between PCSAs, peace officers, health care professionals or facilities, and school districts. The bill also prohibits an employer from taking any disciplinary or retaliatory action against an employee who shares information with a federal, state, or local government entity regarding a child to protect the child's welfare. If an employer takes an action against a person who shares such information, the person may bring a civil action for appropriate injunctive relief. There could be some court costs if a violation of this provision occurs; however, the number of cases is likely to be few.

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[10] Cost data compiled by DRC.