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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Office

H.B. 338
135th General Assembly

Fiscal Note & Local Impact Statement

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Version: As Passed by the Senate

Primary Sponsors: Reps. White and Sweeney

Local Impact Statement Procedure Required: No

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Highlights

- The state will see an increase in GRF-supported judicial salary of \$44,588 (including an increased Ohio Public Employees Retirement System (OPERS) contribution) beginning in CY 2025 with the replacement of one part-time judge in the Lebanon Municipal Court with one full-time judge.
- Warren County will see an increase in locally supported judicial salary (including an increased OPERS contribution) of \$11,970 and the city of Lebanon will see an increase of \$17,955 beginning in CY 2025 with the replacement of one part-time judge in the Lebanon Municipal Court with one full-time judge.
- Courts of common pleas may see a slight increase in the number of child support hearings resulting in a minimal increase in related costs. Any additional costs may be offset somewhat by the collection of additional filing fees. The courts will likely be able to incorporate these additional hearings using currently available resources.
- Child support enforcement agencies (CSEAs) may experience minimal costs to request a court to take action regarding the support of a person with a disability and to administer any new child support orders issued by a court.

Detailed Analysis

Lebanon Municipal Court

The bill converts the part-time judgeship in the Lebanon Municipal Court to a full-time judgeship beginning on the effective date of the bill.

Judicial salary

Under continuing Ohio law, a judge of a municipal court receives compensation from the state and relevant local governments:

- The county and municipalities pay an amount equal to \$35,500 per year for each part-time municipal court judge, and \$61,750 per year for each full-time county court judge. In 2025, the city of Lebanon and Warren County will be responsible for paying \$61,750 to convert the Lebanon Municipal Court to a full-time position. Of this amount, three-fifths will be paid by the city and two-fifths will be paid by the county.
- The state pays the remaining portion of the statutorily set judge's salary through GRF appropriation to the Supreme Court. Barring any intervention by the General Assembly:
 - The full salary for a part-time municipal court judge is set at \$88,666 of which the state is responsible for \$53,166 (after deducting the local portion of \$35,500); and
 - The full salary for a full-time municipal court judge is set at \$154,028 of which the state is responsible for \$92,278 (after deducting the local portion of \$61,750).

As the table below shows, the replacement of one part-time judge with one full-time judge costs the county \$26,250 annually and costs the state \$39,112 in base salary costs in 2025. Judicial salaries will increase by 1.75% annually through 2028 with the full increase paid by the state.

The table also reflects a contribution to the Ohio Public Employees Retirement System (OPERS) which results in additional costs of 14% per year on the new compensation totals. Increasing the Lebanon judgeship to full-time would increase OPERS contributions as follows: \$5,476 to the state and \$3,675 to the county and municipality. Thus, including both the increase in salary and OPERS contribution, the state's increase would be \$44,588 and the local's increase would be \$29,925 (\$11,970 for the county and \$17,955 for the city of Lebanon).

Cost Comparison of Lebanon Municipal Court Judgeship(s) Part-time versus Full-time (2025)			
Compensation Cost	Compensation for Part-time Judge	Compensation for Full-time Judge	Increase Under the Bill
Local base salary paid by Lebanon	\$21,300	\$37,050	\$15,750
14% OPERS contribution	\$2,982	\$5,187	\$2,205
Municipal Total	\$24,282	\$42,237	\$17,955
Local base salary paid by Warren County	\$14,200	\$24,700	\$10,500
14% OPERS contribution	\$1,988	\$3,458	\$1,470

Cost Comparison of Lebanon Municipal Court Judgeship(s) Part-time versus Full-time (2025)			
Compensation Cost	Compensation for Part-time Judge	Compensation for Full-time Judge	Increase Under the Bill
<i>County Total</i>	\$16,188	\$28,158	\$11,970
Local Total	\$40,470	\$70,395	\$29,925
State base salary	\$53,166	\$92,278	\$39,112
14% OPERS contribution	\$7,443	\$12,919	\$5,476
State Total	\$60,609	\$105,197	\$44,588
Compensation Total	\$101,079	\$175,592	\$74,513

Lebanon Municipal Court may also incur additional benefit costs, like health insurance, as well as other administrative costs to accommodate additional hours.

Child support order for the care of a child who is a person with a disability

The bill allows a court to issue, modify, or terminate a child support order for the care of a child who is a person with a disability as part of a marriage termination proceeding or when issuing or modifying a court-issued child support order, regardless of whether the child is over or under the age of majority at the time.

Courts of common pleas

The bill may create a small number of additional hearings in county courts of common pleas as some additional child support orders may be ordered or be in effect for longer than under current law and practice. The resulting number of additional filings to establish, enforce, or modify support is not readily quantifiable and may codify current practice in some jurisdictions. As such, the bill is expected to have a minimal fiscal effect on the operating costs of courts of common pleas. These courts will likely be able to incorporate a relatively small number of additional hearings into their day-to-day business using currently available resources. The cost of any additional filings may also be offset, either in whole or in part, by the collection of filing fees.

Child support enforcement agency

The bill specifies that nothing in the Revised Code allows a child support enforcement agency (CSEA) to issue an administrative child support order for a person over the age of 18, including a person with a disability. However, a CSEA can request the appropriate court to take action to provide for the care and maintenance of a person with a disability. As a result, CSEAs could realize administrative costs to request a court to take action in such cases. County CSEAs administer child support cases at the local level. This includes enforcing monetary and medical support orders, collecting support, and reviewing support orders. CSEAs could realize costs to

provide these services to any new child support orders generated by the bill. The number of support orders generated is anticipated to be relatively small, so any impact should be minimal.

Computerization fees

The bill makes clarifying changes to the law regulating the use of computerization fees permitted under current law. Those changes are not likely to have a significant impact on the current operations of Ohio's various courts and include provisions which:

- Specify that an elected clerk of a county court may make a determination that additional funds are required to computerize the office of the clerk, and retains the court's authority to do so when the clerk is appointed;
- Clarify that an elected clerk of a municipal or county court may disburse computerization funds subject to an appropriation by the commissioners, while in a court with an appointed clerk of a municipal or county court, the court may issue an order to disburse the funds subject to an appropriation by the commissioners; and
- Specify that in a court of common pleas where the clerk is appointed, the court may authorize and disburse computerization funds, instead of the county executive.