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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Office

S.B. 210
134th General Assembly

Final Fiscal Note & Local Impact Statement

[Click here for S.B. 210's Bill Analysis](#)

Primary Sponsor: Sen. Gavarone

Local Impact Statement Procedure Required: No

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Highlights

- Courts of common pleas may see a relatively small number of additional or more complex domestic relations or probate cases, with the related work and costs absorbed by existing judicial staff and appropriated resources. There should be no discernible ongoing fiscal effects on the courts.
- The bill is not expected to generate a significant increase in the number of petitions filed with, or subsequent protection orders issued by, the courts of common pleas. There may be a minimal increase in the time and effort required to hear and issue such orders, but the court should largely be able to accomplish this with existing resources.
- Law enforcement agencies generally should be able to incorporate the work associated with additional domestic violence protection orders for minors in a dating relationship into an existing tracking and enforcement system with little, if any, discernible cost.

Detailed Analysis

The bill (1) expands the ability of spouses to enter into agreements with each other to alter their legal relations, (2) allows a court to terminate a decree of legal separation upon a motion signed by both spouses, (3) expands the definition of a person with whom a respondent is or was in a dating relationship to include minors for purposes of domestic violence protection order and domestic violence shelter laws, and (4) removes the population limits for appointing active judges.

Spousal agreements

The bill establishes postnuptial agreements and treats such agreements the same as antenuptial agreements, which are recognized under current law and commonly known as prenuptial agreements.

Because of the bill, courts of common pleas may see a relatively small number of additional or more complex domestic relations or probate cases, with the related work and costs absorbed by existing judicial staff and appropriated resources. There would likely be a related negligible revenue gain in the form of court costs and fees. That said, there would be no discernible ongoing fiscal effect on a court's handling of domestic relations matters.

Domestic violence definitions

Currently, the domestic violence protection order law only allows an adult to petition for an order against another adult. The bill expands that law to allow a minor to petition for a domestic violence protection order against an adult. The existing domestic violence shelter law only applies regarding an adult provided shelter who was or is dating an actor who is an adult. The bill expands that law to include a minor provided shelter who is or was dating an actor who is an adult.

Courts of common pleas

Because of the bill, the number of petitioners for protection orders is likely to increase to some degree. This is because some individuals who are not eligible to petition for a domestic violence protection order under current law will meet the bill's requirements permitting them to do so. The number of additional new filings that may be created by the bill is unknown, but is not expected to create a substantial amount of work for the courts. To the degree that any costs can be quantified, they are likely to be minimal, mostly in terms of the additional time and effort that existing court personnel take to process filings and orders.

Law enforcement

Continuing law requires all law enforcement agencies to maintain an index of domestic violence protection orders, to enforce such orders, and to provide individuals in a dating relationship involved in domestic disputes with information about relief and remedies. Given a system is already in place to track and enforce protection orders, law enforcement agencies generally should be able to incorporate the work associated with any additional domestic violence protection orders with little, if any, discernible cost.

Domestic violence shelters

The bill does not directly affect state or local funding available for eligible domestic violence shelters, but may affect service provider eligibility requirements for future funding by expanding the criteria for and number of individuals eligible for services.

Appointing acting judges

The bill removes the population limit and in-territory residency preference for appointing acting judges. This provision is not expected to create any direct fiscal effect on the state or political subdivisions.