



# Ohio Legislative Service Commission

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## Fiscal Note & Local Impact Statement

**Bill:** Am. H.B. 95 of the 128th G.A. **Date:** December 1, 2009

**Status:** As Passed by the House **Sponsor:** Rep. Skindell

**Local Impact Statement Procedure Required:** No — Minimal cost

**Contents:** Change of name

### State Fiscal Highlights

- No direct fiscal effect on the state.

### Local Fiscal Highlights

#### LOCAL GOVERNMENT

#### FY 2010 – FUTURE YEARS

#### Counties (probate division of court of common pleas)

|              |  |
|--------------|--|
| Revenues     | Potential, likely no more than minimal, annual loss in filing fees   |
| Expenditures | (1) Potential, at most minimal, one-time cost to modify application form;<br>(2) Potential, likely no more than minimal, ongoing annual savings effect |

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- **Filing fees.** If, as assumed herein, the resulting reduction in the number of name change applications in any given county is relatively small, then the revenue loss in terms of name change filing fees is likely to be, at most, minimal. A minimal revenue loss means a decrease estimated at no more than \$5,000 per year for any affected county and affiliated probate division of the court of common pleas.
- **Operating expenses.** The potential impact on probate courts is two-fold: (1) a minimal one-time cost to modify existing practices and procedures, including any related form(s), and (2) a minimal savings in operating costs, if fewer name change applications are filed and subsequently processed. A minimal change in county expenditures means an increase or savings estimated at no more than \$5,000 per year.

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## Detailed Fiscal Analysis

### Overview

For the purposes of this fiscal analysis, the bill most notably:

- Requires that an application for a statutory name change compel the applicant to state whether the applicant committed identify fraud or is required to register under the state's Sex Offender Registration and Notification (SORN) Law.
- Prohibits a court from granting an application for a statutory name change if the applicant has committed identity fraud or is required to register under the SORN Law.

### Local fiscal effects

To the degree that the bill affects local governments, it will most likely be counties, in particular the operating expenses, and related revenue collections, of the probate division of the courts of common pleas.<sup>1</sup>

#### Probate courts

The fiscal analysis herein reflects a distillation of various conversations between LSC fiscal staff and the staff and members of the Judicial Conference of Ohio and the Ohio Clerk of Courts Association.

**Revenues.** It does not appear that the bill's prohibition will result in a significant reduction in the number of name change applications that might otherwise have been filed in any given probate court. That said, it is possible that a few persons might be deterred from filing a name change application that, absent the bill's prohibition, might otherwise have filed a name change application. The effect of such an outcome would be somewhat fewer name change filing fees collected by certain probate courts and thus a loss of revenue.<sup>2</sup> If, as assumed herein, the number of such occurrences in any given county is relatively small, then the revenue loss is likely to be, at most, minimal. A minimal revenue loss means a decrease estimated at no more than \$5,000 per year for any affected county and affiliated probate division of the court of common pleas.

**Expenditures.** It seems likely that probate courts, in order to incorporate the bill's prohibitions, will need to modify their current procedures and practices, including any related form(s). The estimated one-time cost to make such adjustments will be, at most, minimal. In contrast, the ongoing fiscal effect on any given probate court may be a minimal savings in operating costs, if fewer name change applications are filed and

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<sup>1</sup> Statutory name change applications are handled by probate courts.

<sup>2</sup> LSC fiscal staff's research indicates that the filing fee for a name change varies from court to court, but generally falls in the range of around \$40 to \$160.

subsequently processed. A minimal change in county expenditures means an increase or savings estimated at no more than \$5,000 per year.

**State fiscal effects**

The bill will have no discernible effect on state revenues and expenditures.

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