



Ohio Legislative Service Commission

Garrett Crane

Fiscal Note & Local Impact Statement

Bill: [H.B. 309 of the 130th G.A.](#)

Date: January 15, 2014

Status: As Introduced

Sponsor: Reps. Pelanda and Antonio

Local Impact Statement Procedure Required: No

Contents: Prohibition of fees or other charges in connection with protection orders

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- As the bill's fee charging prohibition codifies the practice of most clerks of common pleas, municipal, and county courts, there will be no direct fiscal effect on local governments generally. However, where the practice is to charge for a post-decree motion, there will be some loss in revenue.

Detailed Fiscal Analysis

The bill extends the prohibition against charging a petitioner in connection with a protection order or consent agreement to include modification, enforcement, dismissal, or withdrawal. As the federal Violence Against Women Reauthorization Act (VAWA) of 2013 prohibits charging a petitioner under any situation, and clerks of common pleas, municipal, and county courts currently do not charge petitioners, this provision of the bill will have no direct fiscal effect.

The bill also eliminates a court's permissive authority to assess a respondent costs for filing a motion to modify or terminate a protection order or consent agreement. The majority of the clerks of courts with whom this matter was discussed indicated the court did not assess a respondent costs. Thus, the elimination of this authority will generally have no direct fiscal effect, as it codifies what is existing practice for most courts studied. In jurisdictions that do assess costs, there will be some loss in revenue. Those costs appear to range from roughly \$100 to \$200 per motion.

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