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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

**H.B. 302**  
**(1\_136\_1488-1)**  
**136<sup>th</sup> General Assembly**

## **Fiscal Note & Local Impact Statement**

[Click here for H.B. 302's Bill Analysis](#)

**Version:** In House Judiciary

**Primary Sponsors:** Reps. Workman and Plummer

**Local Impact Statement Procedure Required:** No

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### **Highlights**

- The costs for the Office of the Attorney General's Consumer Protection Section to investigate and enforce violations of the bill will depend on the number of complaints filed/reported, investigations performed, and enforcement actions taken. To some degree, these costs may be offset by the collection of civil penalties credited to the Consumer Protection Enforcement Fund (Fund 6310).
- Any increase in the annual operating costs of courts of common pleas to adjudicate additional civil actions will be no more than minimal and absorbed by utilizing existing staff and resources.

### **Detailed Analysis**

The bill requires, beginning January 1, 2027, the collection of age bracket data to enable application developers to provide age-appropriate content for minor users. To facilitate this, the bill establishes various duties for developers and operating system providers related to age determination and data usage. These duties, along with relevant definitions, are detailed in the [LSC bill analysis and comparative synopsis](#). The bill provides for civil penalties in an Attorney General action.

### **Fiscal effects**

The Attorney General has the exclusive right to enforce the provisions of the bill. The bill specifies that there is no private cause of action. The Attorney General must file a civil action against a person who fails to comply, in the county where the violation occurred or in Franklin County if the location is unknown, to seek injunctive relief and civil penalties of up to \$2,500 per affected child for negligent violations and up to \$7,500 per affected child for purposeful violations. Any related enforcement costs for the Attorney General's Consumer Protection

Section will be offset, to some degree, by the collection of civil penalties credited to the Consumer Protection Enforcement Fund (Fund 6310). The amount and timing of enforcement costs will depend on the compliance of the regulated entities, the number of complaints reported and investigations conducted, and the outcomes of any civil actions brought.

While the number of new civil actions that may result from the bill is uncertain, it is not expected to be significant for any single jurisdiction. The effect on the daily operations and related operating expenses of the courts of common pleas will depend on the frequency with which such actions are filed and the legal complexity of the matters involved, but likely to be absorbed by existing staff and resources.

## **Synopsis of Fiscal Effect Changes**

The substitute bill (I\_136\_1488-1) makes several changes to the bill's enforcement provisions. It clarifies the court in which the Attorney General must bring civil actions for violations and replaces the As Introduced version's civil penalty of up to \$1,000 per violation with a culpability-based penalty structure. Under the substitute bill, a negligent violation may result in a civil penalty of up to \$2,500 per affected child, while a purposeful violation may result in a penalty of up to \$7,500 per affected child. The substitute bill also directs civil penalties to the Attorney General's Consumer Protection Enforcement Fund (Fund 6310). Under the As Introduced version, such revenue likely would have been deposited into the GRF. These changes primarily clarify enforcement procedures and ensure that any penalty revenue may be used to support the Attorney General's enforcement activities. In both versions of the bill, the Attorney General has sole exclusive enforcement authority.

The substitute bill also changes various age verification requirements and related definitions. Most notably, it places requirements at the operating system level rather than with application distributors (i.e., app stores). These changes are not expected to change the number of violations or increase the likelihood that civil actions will be filed. Under either version, any additional cases are not expected to be significant for any single jurisdiction and likely to be absorbed by existing staff and resources.