

As Introduced

136th General Assembly

Regular Session

H. B. No. 686

2025-2026

Representative Schmidt

Cosponsors: Representatives Jarrells, Click, Odioso, White, E., Lett, Brennan, Daniels, John, Johnson, Deeter, Bird, Thomas, C.

To amend sections 2101.16, 2101.162, 2111.03, 1
2111.121, 2111.51, and 2113.031 and to enact 2
section 3109.044 of the Revised Code to enact 3
the Parker Kahle Act regarding guardianship of 4
an adult child with a disability and the 5
allocation of parental rights and 6
responsibilities. 7

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 2101.16, 2101.162, 2111.03, 8
2111.121, 2111.51, and 2113.031 be amended and section 3109.044 9
of the Revised Code be enacted to read as follows: 10

Sec. 2101.16. (A) Except as provided in section 2101.164 11
of the Revised Code, the fees enumerated in this division shall 12
be charged and collected, if possible, by the probate judge and 13
shall be in full for all services rendered in the respective 14
proceedings: 15
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A (1) Account, in addition to advertising charges

B	_____	\$12.00
C	Waivers and proof of notice of hearing on account, per page, minimum one dollar	
D	_____	\$1.00
E (2)	Account of distribution, in addition to advertising charges	
F	_____	\$7.00
G (3)	Adoption of child, petition for	
H	_____	\$20.00
I (4)	Alter or cancel contract for sale or purchase of real property, complaint to	
J	_____	\$20.00
K (5)	Application and order not otherwise provided for in this section or by rule adopted pursuant to division (E) of this section	
L	_____	\$5.00
M (6)	Appropriation suit, per day, hearing in	
N	_____	\$20.00
O (7)	Birth, application for registration of	
P	_____	\$7.00

Q	(8) Birth record, application to correct	
R		\$5.00
S	(9) Bond, application for new or additional	
T		\$5.00
U	(10) Bond, application for release of surety or reduction of	
V		\$5.00
W	(11) Bond, receipt for securities deposited in lieu of	
X		\$5.00
Y	(12) Certified copy of journal entry, record, or proceeding, per page, minimum fee one dollar	
Z		\$1.00
AA	(13) Citation and issuing citation, application for	
AB		\$5.00
AC	(14) Change of name, petition for	
AD		\$20.00
AE	(15) Claim, application of administrator or executor for allowance of administrator's or executor's own	
AF		\$10.00
AG	(16) Claim, application to compromise or settle	

AH		\$10.00
AI	(17) Claim, authority to present	
AJ		\$10.00
AK	(18) Commissioner, appointment of	
AL		\$5.00
AM	(19) Compensation for extraordinary services and attorney's fees for fiduciary, application for	
AN		\$5.00
AO	(20) Competency, application to procure adjudication of	
AP		\$20.00
AQ	(21) Complete contract, application to	
AR		\$10.00
AS	(22) Concealment of assets, citation for	
AT		\$10.00
AU	(23) Construction of will, complaint for	
AV		\$20.00
AW	(24) Continue decedent's business, application to	
AX		\$10.00
AY	Monthly reports of operation	

AZ	_____	\$5.00
BA	(25) Declaratory judgment, complaint for	
BB	_____	\$20.00
BC	<u>(26) Deposit of guardianship nomination</u>	
BD	_____	<u>\$10.00</u>
BE	(26) Deposit of will	
	<u>(27)</u>	
BF	_____	\$5.00
BG	(27) Designation of heir	
	<u>(28)</u>	
BH	_____	\$20.00
BI	(28) Distribution in kind, application, assent, and order	
	<u>(29) for</u>	
BJ	_____	\$5.00
BK	(29) Distribution under section 2109.36 of the Revised Code,	
	<u>(30) application for an order of</u>	
BL	_____	\$7.00
BM	(30) Docketing and indexing proceedings, including the	
	<u>(31) filing and noting of all necessary documents, maximum</u>	
	<u>fee, fifteen dollars</u>	
BN	_____	\$15.00

BO (31) Exceptions to any proceeding named in this section,
(32) contest of appointment or

BP _____ \$10.00

BQ (32) Election of surviving partner to purchase assets of
(33) partnership, proceedings relating to

BR _____ \$10.00

BS (33) Election of surviving spouse under will
(34)

BT _____ \$5.00

BU (34) Fiduciary, including an assignee or trustee of an
(35) insolvent debtor or any guardian or conservator
accountable to the probate court, appointment of

BV _____ \$35.00

BW (35) Foreign will, application to record
(36)

BX _____ \$10.00

BY Record of foreign will, additional, per page

BZ _____ \$1.00

CA (36) Forms when supplied by the probate court, not to exceed
(37)

CB _____ \$10.00

CC (37) Heirship, complaint to determine
(38)

CD _____ \$20.00

CE (38) Injunction proceedings
(39)

CF _____ \$20.00

CG (39) Improve real property, petition to
(40)

CH _____ \$20.00

CI (40) Inventory with appraisement
(41)

CJ _____ \$10.00

CK (41) Inventory without appraisement
(42)

CL _____ \$7.00

CM (42) Investment or expenditure of funds, application for
(43)

CN _____ \$10.00

CO (43) Invest in real property, application to
(44)

CP _____ \$10.00

CQ (44) Lease for oil, gas, coal, or other mineral, petition to
(45)

CR _____ \$20.00

CS (45) Lease or lease and improve real property, petition to
(46)

CT _____ \$20.00

CU (46) Marriage license
(47)

CV _____ \$10.00

CW Certified abstract of each marriage

CX _____ \$2.00

CY (47) Minor or incompetent person, etc., disposal of estate
(48) under twenty-five thousand dollars of

CZ _____ \$10.00

DA (48) Mortgage or mortgage and repair or improve real
(49) property, complaint to

DB _____ \$20.00

DC (49) Newly discovered assets, report of
(50)

DD _____ \$7.00

DE (50) Nonresident executor or administrator to bar creditors'

<u>(51)</u> claims, proceedings by		
DF	_____	\$20.00
DG	<u>(51)</u> Power of attorney or revocation of power, bonding <u>(52)</u> company	
DH	_____	\$10.00
DI	<u>(52)</u> Presumption of death, petition to establish <u>(53)</u>	
DJ	_____	\$20.00
DK	<u>(53)</u> Probating will <u>(54)</u>	
DL	_____	\$15.00
DM	Proof of notice to beneficiaries	
DN	_____	\$5.00
DO	<u>(54)</u> Purchase personal property, application of surviving <u>(55)</u> spouse to	
DP	_____	\$10.00
DQ	<u>(55)</u> Purchase real property at appraised value, petition of <u>(56)</u> surviving spouse to	
DR	_____	\$20.00
DS	<u>(56)</u> Receipts in addition to advertising charges, <u>(57)</u> application and order to record	

DT	_____	\$5.00
DU	Record of those receipts, additional, per page	
DV	_____	\$1.00
DW	(57) Record in excess of fifteen hundred words in any (58) proceeding in the probate court, per page	
DX	_____	\$1.00
DY	(58) Release of estate by mortgagee or other lienholder (59)	
DZ	_____	\$5.00
EA	(59) Relieving an estate from administration under section (60) 2113.03 of the Revised Code or granting an order for a summary release from administration under section 2113.031 of the Revised Code	
EB	_____	\$60.00
EC	(60) Removal of fiduciary, application for (61)	
ED	_____	\$10.00
EE	(61) Requalification of executor or administrator (62)	
EF	_____	\$10.00
EG	(62) Resignation of fiduciary (63)	

EH		\$5.00
EI	<u>(63)</u> Sale bill, public sale of personal property <u>(64)</u>	
EJ		\$10.00
EK	<u>(64)</u> Sale of personal property and report, application for <u>(65)</u>	
EL		\$10.00
EM	<u>(65)</u> Sale of real property, petition for <u>(66)</u>	
EN		\$25.00
EO	<u>(66)</u> Terminate guardianship, petition to <u>(67)</u>	
EP		\$10.00
EQ	<u>(67)</u> Transfer of real property, application, entry, and <u>(68)</u> certificate for	
ER		\$7.00
ES	<u>(68)</u> Unclaimed money, application to invest <u>(69)</u>	
ET		\$7.00
EU	<u>(69)</u> Vacate approval of account or order of distribution, <u>(70)</u> motion to	

EV		\$10.00
EW	(70) Writ of execution <u>(71)</u>	
EX		\$5.00
EY	(71) Writ of possession <u>(72)</u>	
EZ		\$5.00
FA	(72) Wrongful death, application and settlement of claim for <u>(73)</u>	
FB		\$20.00
FC	(73) Year's allowance, petition to review <u>(74)</u>	
FD		\$7.00
FE	(74) Guardian's report, filing and review of <u>(75)</u>	
FF		\$5.00
FG	(75) Person with a mental illness subject to court order, <u>(76)</u> filing of affidavit and proceedings for	
FH		\$25.00
	(B) (1) In relation to an application for the appointment of a guardian or the review of a report of a guardian under section 2111.49 of the Revised Code, the probate court, pursuant	17 18 19

to court order or in accordance with a court rule, may direct 20
that the applicant or the estate pay any or all of the expenses 21
of an investigation conducted pursuant to section 2111.041 or 22
division (A) (2) of section 2111.49 of the Revised Code. If the 23
investigation is conducted by a public employee or investigator 24
who is paid by the county, the fees for the investigation shall 25
be paid into the county treasury. If the court finds that an 26
alleged incompetent or a ward is indigent, the court may waive 27
the costs, fees, and expenses of an investigation. 28

(2) In relation to the appointment or functioning of a 29
guardian for a minor or the guardianship of a minor, the probate 30
court may direct that the applicant or the estate pay any or all 31
of the expenses of an investigation conducted pursuant to 32
section 2111.042 of the Revised Code. If the investigation is 33
conducted by a public employee or investigator who is paid by 34
the county, the fees for the investigation shall be paid into 35
the county treasury. If the court finds that the guardian or 36
applicant is indigent, the court may waive the costs, fees, and 37
expenses of an investigation. 38

(3) In relation to the filing of an affidavit of mental 39
illness for a person with a mental illness subject to court 40
order, the court may waive the fee under division ~~(A) (75) (A) (76)~~ 41
of this section if the court finds that the affiant is indigent 42
or for good cause shown. 43

(C) Thirty dollars of the thirty-five-dollar fee collected 44
pursuant to division ~~(A) (34) (A) (35)~~ of this section and twenty 45
dollars of the sixty-dollar fee collected pursuant to division 46
~~(A) (59) (A) (60)~~ of this section shall be deposited by the county 47
treasurer in the indigent guardianship fund created pursuant to 48
section 2111.51 of the Revised Code. 49

(D) The fees of witnesses, jurors, sheriffs, coroners, and constables for services rendered in the probate court or by order of the probate judge shall be the same as provided for similar services in the court of common pleas. 50
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(E) The probate court, by rule, may require an advance deposit for costs, not to exceed one hundred twenty-five dollars, at the time application is made for an appointment as executor or administrator or at the time a will is presented for probate. 54
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(F) (1) The "putative father registry fund" is hereby created in the state treasury. The department of children and youth shall use the money in the fund to fund the department's costs of performing its duties related to the putative father registry established under section 3107.062 of the Revised Code. 59
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(2) If the department determines that money in the putative father registry fund is more than is needed for its duties related to the putative father registry, the department may use the surplus moneys in the fund as permitted in division (D) of section 2151.3527 or section 5103.155 of the Revised Code. 64
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Sec. 2101.162. (A) (1) The probate judge may determine that, for the efficient operation of the probate court, additional funds are required to computerize the court, make available computerized legal research services, or to do both. Upon making a determination that additional funds are required for either or both of those purposes, the probate judge shall charge a fee not to exceed three dollars or authorize and direct a deputy clerk of the probate court to charge a fee not to exceed three dollars, in addition to the fees specified in divisions (A) (1), (3), (4), (6), (14) to (17), (20) to (25), 70
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~~+27)(28), +30)(31) to +32)(33), +34)(35), (36), +37)(38) to +48)(49), +50)(51) to +55)(56), +59)(60) to +61)(62), +63)(64) to +66)(67), +69)(70), and +72)(73) of section 2101.16 of the Revised Code and the fee charged in connection with the docketing and indexing of an appeal.~~ 80
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(2) All moneys collected under division (A)(1) of this section shall be paid to the county treasurer. The treasurer shall place the moneys from the fees in a separate fund to be disbursed, upon an order of the probate judge, in an amount no greater than the actual cost to the court of procuring and maintaining computerization of the court, computerized legal research services, or both. 85
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(3) If the court determines that the funds in the fund described in division (A)(2) of this section are more than sufficient to satisfy the purpose for which the additional fee described in division (A)(1) of this section was imposed, the court may declare a surplus in the fund and expend those surplus funds for other appropriate technological expenses of the court. 92
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(B) (1) The probate judge may determine that, for the efficient operation of the probate court, additional funds are required to computerize the office of the clerk of the court and, upon that determination, may charge a fee, not to exceed ten dollars, or authorize and direct a deputy clerk of the probate court to charge a fee, not to exceed ten dollars, in addition to the fees specified in divisions (A)(1), (3), (4), (6), (14) to (17), (20) to (25), +27)(28), +30)(31) to +32)(33), +34)(35), +35)(36), +37)(38) to +48)(49), +50)(51) to +55)(56), +59)(60) to +61)(62), +63)(64) to +66)(67), +69)(70), and +72)(73) of section 2101.16 of the Revised Code and the fee charged in connection with the docketing and indexing of an appeal. 98
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Subject to division (B) (2) of this section, all moneys collected 110
under this division shall be paid to the county treasurer to be 111
disbursed, upon an order of the probate judge and subject to 112
appropriation by the board of county commissioners, in an amount 113
no greater than the actual cost to the probate court of 114
procuring and maintaining computer systems for the office of the 115
clerk of the court. 116

(2) If the probate judge makes the determination described 117
in division (B) (1) of this section, the board of county 118
commissioners may issue one or more general obligation bonds for 119
the purpose of procuring and maintaining the computer systems 120
for the office of the clerk of the probate court. In addition to 121
the purposes stated in division (B)(1) of this section for which 122
the moneys collected under that division may be expended, the 123
moneys additionally may be expended to pay debt charges on and 124
financing costs related to any general obligation bonds issued 125
pursuant to this division as they become due. General obligation 126
bonds issued pursuant to this division are Chapter 133. 127
securities. 128

Sec. 2111.03. (A) A person applying for appointment as a 129
guardian, including, but not limited to, as a limited guardian, 130
pursuant to section 2111.02 of the Revised Code, shall file with 131
the probate court an application that contains a statement of 132
the whole estate of the ward, its probable value, and the 133
probable annual rents of the ward's real property, and that also 134
contains the following: 135

(A)(1) A statement whether the applicant ever has been 136
charged with or convicted of any crime involving theft, physical 137
violence, or sexual, alcohol, or substance abuse, and, if the 138
applicant has been so charged or convicted, the date and place 139

of each charge and each conviction;	140
<u>(B)(2)</u> A statement whether a limited guardianship is sought and, if sought, a specification of the limited powers that are requested and a statement whether the limited guardianship is to be for a definite or indefinite period;	141 142 143 144
<u>(C)(3)</u> In the case of an application for the appointment of a guardian of a minor, all of the following:	145 146
<u>(1)(a)</u> Name, age, and residence of the minor;	147
<u>(2)(b)</u> Name and residence of each parent of the minor;	148
<u>(3)(c)</u> Name, degree of kinship, age, and address of next of kin of the minor, if no parent is living or if a parent of the minor is absent, under disability, or for other reason cannot be notified;	149 150 151 152
<u>(4)(d)</u> Name and residence address of the person having custody of the minor.	153 154
<u>(D)(4)</u> In the case of an application for the appointment of a guardian of an alleged incompetent, all of the following:	155 156
<u>(1)(a)</u> Name, age, and residence of the person for whom such appointment is sought;	157 158
<u>(2)(b)</u> Facts upon which the application is based;	159
<u>(3)(c)</u> Name, degree of kinship, age, and address of the next of kin of the alleged incompetent.	160 161
<u>(B)</u> The court, on its own motion, shall proceed as provided in this chapter, upon suggestion by the bureau of workers' compensation that any person who has made application for or been awarded compensation or death benefits as an employee or the dependent of a killed employee is a minor or	162 163 164 165 166

incompetent. In that case, no application need be filed and the
bureau shall furnish the court with the name and residence of
such person and the name, degree of kinship, age, and address of
the father, mother, or next of kin of such person insofar as
known by the bureau.

(C) A parent or legal custodian may apply for guardianship
of the applicant's incompetent adult child at any time after the
child reaches seventeen years and six months of age.

The applicant shall notify the probate court if the child
is the subject of a pending proceeding or a court order to
allocate parental rights and responsibilities. If the child is
the subject of such a pending proceeding or court order at the
time of the filing of the application, the applicant shall serve
a copy of the guardianship hearing notice upon the court with
jurisdiction over the proceeding or court order.

Sec. 2111.121. (A) A person may nominate in a writing, as
described in this division, another person to be the guardian of
the nominator's person, estate, or both or the guardian of the
person, the estate, or both, of one or more of the nominator's
minor or incompetent adult children, whether born at the time of
the execution of the writing or afterward, subject to notice and
a hearing pursuant to section 2111.02 of the Revised Code. The
nomination is for consideration by a court if proceedings for
the appointment of a guardian of the person, the estate, or
both, for the person making the nomination or if proceedings for
the appointment of a guardian as the guardian of the person, the
estate, or both of one or more of the nominator's minor or
incompetent adult children are commenced at a later time. The
person may authorize, in a writing of that nature, the person
nominated as guardian to nominate a successor guardian for

consideration by a court. The person also may direct, in a
writing of that nature, that bond be waived for a person
nominated as guardian in it or nominated as a successor guardian
in accordance with an authorization in it.

To be effective as a nomination, the writing shall be
signed by the person making the nomination in the presence of
two witnesses; signed by the witnesses; and contain, immediately
prior to their signatures, an attestation of the witnesses that
the person making the nomination signed the writing in their
presence; or be acknowledged by the person making the nomination
before a notary public.

(B) A person's nomination, in a writing as described in
division (A) of this section, of a guardian of the nominator's
person, estate, or both or of a guardian of the person, the
estate, or both of one or more of the nominator's minor children
or incompetent adult children is revoked by the person's
subsequent nomination, in a writing as described in division (A)
of this section, of a guardian of the nominator's person,
estate, or both or of a guardian of the person, the estate, or
both of one or more of the nominator's minor children or
incompetent adult children, and, except for good cause shown or
disqualification, the court shall make its appointment in
accordance with the person's most recent nomination. If the
writing contains a waiver of bond, the court shall waive bond of
the person nominated as guardian unless it is of the opinion
that the interest of the trust demands it.

(C) Nomination of a person as a guardian or successor
guardian of the person, the estate, or both of one or more of
the nominator's minor or incompetent adult children under
division (A) of this section, and any subsequent appointment of

the guardian or successor guardian as guardian under section 227
2111.02 of the Revised Code, does not vacate the jurisdiction of 228
any other court that previously may have exercised jurisdiction 229
over the person of the minor or incompetent adult child. 230

(D) The writing containing the nomination of a person to 231
be the guardian of the person, the estate, or both of one or 232
more of the nominator's minor or incompetent adult children 233
under division (A) of this section may be filed with the probate 234
court for safekeeping, and the probate court shall designate the 235
nomination as the nomination of a standby guardian. 236

(E) The nomination of a person to be the guardian of the 237
nominator's incompetent adult child under division (A) of this 238
section may be filed at any time after the child reaches 239
seventeen years and six months of age. 240

(F) A nominator of a person to be the guardian of the 241
nominator's minor or incompetent adult children may file a 242
guardianship nomination at the probate court of the county where 243
the minor or incompetent adult children reside. 244

Sec. 2111.51. Each county shall establish in the county 245
treasury an indigent guardianship fund. All revenue that the 246
general assembly appropriates to the indigent guardianship fund 247
for a county, thirty dollars of the thirty-five-dollar fee 248
collected pursuant to division ~~(A)(34)~~(A)(35) of section 2101.16 249
of the Revised Code, and twenty dollars of the sixty-dollar fee 250
collected pursuant to division ~~(A)(59)~~(A)(60) of that section 251
shall be deposited into the fund that is established in that 252
county. Expenditures from the fund shall be made only upon order 253
of the probate judge and only for payment of any cost, fee, 254
charge, or expense associated with the establishment, opening, 255
maintenance, or termination of a guardianship for an indigent 256

ward.	257
If a probate court determines that there are reasonably sufficient funds in the indigent guardianship fund of the county in which the court is located to meet the needs of indigent guardianships in that county, the court, by order, may declare a surplus in the indigent guardianship fund and expend the surplus funds for other guardianship expenses or for other court purposes.	258 259 260 261 262 263 264
Sec. 2113.031. (A) As used in this section:	265
(1) "Financial institution" has the same meaning as in section 5725.01 of the Revised Code. "Financial institution" also includes a credit union and a fiduciary that is not a trust company but that does trust business.	266 267 268 269
(2) "Funeral and burial expenses" means whichever of the following applies:	270 271
(a) The funeral and burial expenses of the decedent that are included in the bill of a funeral director;	272 273
(b) The funeral expenses of the decedent that are not included in the bill of a funeral director and that have been approved by the probate court;	274 275 276
(c) The funeral and burial expenses of the decedent that are described in divisions (A) (2) (a) and (b) of this section.	277 278
(3) "Surviving spouse" means either of the following:	279
(a) The surviving spouse of a decedent who died leaving the surviving spouse and no minor children;	280 281
(b) The surviving spouse of a decedent who died leaving the surviving spouse and minor children, all of whom are	282 283

children of the decedent and the surviving spouse.	284
(B) (1) If the value of the assets of the decedent's estate does not exceed the lesser of five thousand dollars or the amount of the decedent's funeral and burial expenses, any person who is not a surviving spouse and who has paid or is obligated in writing to pay the decedent's funeral and burial expenses, including a person described in section 2108.89 of the Revised Code, may apply to the probate court for an order granting a summary release from administration in accordance with this section.	285 286 287 288 289 290 291 292 293
(2) If either of the following applies, the decedent's surviving spouse may apply to the probate court for an order granting a summary release from administration in accordance with this section:	294 295 296 297
(a) The decedent's funeral and burial expenses have been prepaid, and the value of the assets of the decedent's estate does not exceed the total of the following items:	298 299 300
(i) The allowance for support that is made under division (A) of section 2106.13 of the Revised Code to the surviving spouse and, if applicable, to the decedent's minor children and that is distributable in accordance with division (B) (1) or (2) of that section;	301 302 303 304 305
(ii) An amount, not exceeding five thousand dollars, for the decedent's funeral and burial expenses referred to in division (A) (2) (c) of this section.	306 307 308
(b) The decedent's funeral and burial expenses have not been prepaid, the decedent's surviving spouse has paid or is obligated in writing to pay the decedent's funeral and burial expenses, and the value of the assets of the decedent's estate	309 310 311 312

does not exceed the total of the items referred to in divisions (B) (2) (a) (i) and (ii) of this section.	313 314
(C) A probate court shall order a summary release from administration in connection with a decedent's estate only if the court finds that all of the following are satisfied:	315 316 317
(1) A person described in division (B) (1) of this section is the applicant for a summary release from administration, and the value of the assets of the decedent's estate does not exceed the lesser of five thousand dollars or the amount of the decedent's funeral and burial expenses, or the applicant for a summary release from administration is the decedent's surviving spouse, and the circumstances described in division (B) (2) (a) or (b) of this section apply.	318 319 320 321 322 323 324 325
(2) The application for a summary release from administration does all of the following:	326 327
(a) Describes all assets of the decedent's estate that are known to the applicant;	328 329
(b) Is in the form that the supreme court prescribes pursuant to its powers of superintendence under Section 5 of Article IV, Ohio Constitution, and is consistent with the requirements of this division;	330 331 332 333
(c) Has been signed and acknowledged by the applicant in the presence of a notary public or a deputy clerk of the probate court;	334 335 336
(d) Sets forth the following information if the decedent's estate includes a described type of asset:	337 338
(i) If the decedent's estate includes a motor vehicle, the motor vehicle's year, make, model, body type, manufacturer's	339 340

vehicle identification number, certificate of title number, and	341
date of death value;	342
(ii) If the decedent's estate includes an account	343
maintained by a financial institution, that institution's name	344
and the account's complete identifying number and date of death	345
balance;	346
(iii) If the decedent's estate includes one or more shares	347
of stock or bonds, the total number of the shares and bonds and	348
their total date of death value and, for each share or bond, its	349
serial number, the name of its issuer, its date of death value,	350
and, if any, the name and address of its transfer agent.	351
(3) The application for a summary release from	352
administration is accompanied by all of the following that	353
apply:	354
(a) A receipt, contract, written declaration as defined in	355
section 2108.70 of the Revised Code, or other document that	356
confirms the applicant's payment or obligation to pay the	357
decedent's funeral and burial expenses or, if applicable in the	358
case of the decedent's surviving spouse, the prepayment of the	359
decedent's funeral and burial expenses;	360
(b) An application for a certificate of transfer as	361
described in section 2113.61 of the Revised Code, if an interest	362
in real property is included in the assets of the decedent's	363
estate;	364
(c) The fee required by division (A)-(59) <u>(A) (60)</u> of section	365
2101.16 of the Revised Code.	366
(4) At the time of its determination on the application,	367
there are no pending proceedings for the administration of the	368
decedent's estate and no pending proceedings for relief of the	369

decedent's estate from administration under section 2113.03 of
the Revised Code. 370
371

(5) At the time of its determination on the application, 372
there are no known assets of the decedent's estate other than 373
the assets described in the application. 374

(D) If the probate court determines that the requirements 375
of division (C) of this section are satisfied, the probate court 376
shall issue an order that grants a summary release from 377
administration in connection with the decedent's estate. The 378
order has, and shall specify that it has, all of the following 379
effects: 380

(1) It relieves the decedent's estate from administration. 381

(2) It directs the delivery to the applicant of the 382
decedent's personal property together with the title to that 383
property. 384

(3) It directs the transfer to the applicant of the title 385
to any interests in real property included in the decedent's 386
estate. 387

(4) It eliminates the need for a financial institution, 388
corporation, or other entity or person referred to in any 389
provision of divisions (A) to (F) of section 5731.39 of the 390
Revised Code to obtain, as otherwise would be required by any of 391
those divisions, the written consent of the tax commissioner 392
prior to the delivery, transfer, or payment to the applicant of 393
an asset of the decedent's estate. 394

(E) A certified copy of an order that grants a summary 395
release from administration together with a certified copy of 396
the application for that order constitutes sufficient authority 397
for a financial institution, corporation, or other entity or 398

person referred to in divisions (A) to (F) of section 5731.39 of 399
the Revised Code or for a clerk of a court of common pleas to 400
transfer title to an asset of the decedent's estate to the 401
applicant for the summary release from administration. 402

(F) This section does not affect the ability of qualified 403
persons to file an application to relieve an estate from 404
administration under section 2113.03 of the Revised Code or to 405
file an application for the grant of letters testamentary or 406
letters of administration in connection with the decedent's 407
estate. 408

Sec. 3109.044. (A) As used in this section, "person with a 409
disability" has the same meaning as in section 3119.10 of the 410
Revised Code. 411

(B) When a person with a disability is the subject of a 412
pending proceeding or a court order to allocate parental rights 413
and responsibilities and has reached the age of majority, the 414
court shall retain jurisdiction of the allocation or parental 415
rights and responsibilities for the care of the person with a 416
disability until a probate court has issued a final order 417
appointing a guardian for the person with a disability pursuant 418
to Chapter 2111. of the Revised Code. The court having 419
jurisdiction shall address and issue any necessary final 420
appealable orders prior to transferring or terminating 421
jurisdiction of the parental rights and responsibilities for 422
care of the person with a disability. 423

(C) Except as provided under division (I) of section 424
3109.04 of the Revised Code, any existing order allocating 425
parental rights and responsibilities for the care of, or 426
parenting time rights or visitation and companionship rights 427
with, the person with a disability shall remain in effect until 428

the probate court has issued a final order appointing the 429
guardian for the person with a disability under Chapter 2111. of 430
the Revised Code. 431

(D) The court having jurisdiction shall prohibit either 432
parent from canceling or making changes to any existing health 433
care coverage or public assistance benefits for the person with 434
a disability while the proceeding to appoint a guardian for the 435
person with a disability is pending. 436

(E) The court having jurisdiction may appoint a guardian 437
ad litem for the person with a disability who is the subject of 438
a proceeding or order for the allocation of parental rights and 439
responsibilities for or parenting time rights or visitation and 440
companionship rights until the probate court issues a final 441
order appointing a guardian for the person with a disability. If 442
the court having jurisdiction has appointed a guardian ad litem 443
for the person with a disability, the guardian ad litem shall 444
conduct an investigation without bias against the gender of the 445
parent or the person with a disability. The guardian ad litem 446
shall thoroughly review all case filings, including any previous 447
reports by a guardian ad litem. 448

A guardian ad litem appointed under this division shall 449
bill for costs based on the time the guardian ad litem spends 450
reviewing or discussing information relevant to the case. If the 451
court requires a deposit for the guardian ad litem, the costs 452
shall be capped at the amount the court assigns for the deposit, 453
unless a party requests and accepts responsibility of payment 454
for additional time with the guardian ad litem. The court having 455
jurisdiction shall allocate payment by each party for the 456
guardian ad litem in proportion to the time spent with each 457
parent. Upon approving the final order for payment, the court 458

<u>shall order the entity holding the deposit to issue a refund of</u>	459
<u>any remaining deposit funds.</u>	460
Section 2. That existing sections 2101.16, 2101.162,	461
2111.03, 2111.121, 2111.51, and 2113.031 of the Revised Code are	462
hereby repealed.	463
Section 3. This act shall be known as the Parker Kahle	464
Act.	465