

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 686

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
16

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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)</u> <u>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)</u> for	
BJ	_____	\$5.00
BK	(29) Distribution under section 2109.36 of the Revised Code, <u>(30)</u> application for an order of	
BL	_____	\$7.00
BM	(30) Docketing and indexing proceedings, including the <u>(31)</u> filing and noting of all necessary documents, maximum fee, fifteen dollars	
BN	_____	\$15.00

BO	(31) Exceptions to any proceeding named in this section, <u>(32)</u> contest of appointment or	
BP	_____	\$10.00
BQ	(32) Election of surviving partner to purchase assets of <u>(33)</u> partnership, proceedings relating to	
BR	_____	\$10.00
BS	(33) Election of surviving spouse under will <u>(34)</u>	
BT	_____	\$5.00
BU	(34) Fiduciary, including an assignee or trustee of an <u>(35)</u> insolvent debtor or any guardian or conservator accountable to the probate court, appointment of	
BV	_____	\$35.00
BW	(35) Foreign will, application to record <u>(36)</u>	
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 <u>(37)</u>	
CB	_____	\$10.00

CC	(37) Heirship, complaint to determine <u>(38)</u>	
CD	_____	\$20.00
CE	(38) Injunction proceedings <u>(39)</u>	
CF	_____	\$20.00
CG	(39) Improve real property, petition to <u>(40)</u>	
CH	_____	\$20.00
CI	(40) Inventory with appraisement <u>(41)</u>	
CJ	_____	\$10.00
CK	(41) Inventory without appraisement <u>(42)</u>	
CL	_____	\$7.00
CM	(42) Investment or expenditure of funds, application for <u>(43)</u>	
CN	_____	\$10.00
CO	(43) Invest in real property, application to <u>(44)</u>	
CP	_____	\$10.00

CQ	(44) Lease for oil, gas, coal, or other mineral, petition to <u>(45)</u>	
CR	_____	\$20.00
CS	(45) Lease or lease and improve real property, petition to <u>(46)</u>	
CT	_____	\$20.00
CU	(46) Marriage license <u>(47)</u>	
CV	_____	\$10.00
CW	Certified abstract of each marriage	
CX	_____	\$2.00
CY	(47) Minor or incompetent person, etc., disposal of estate <u>(48)</u> under twenty-five thousand dollars of	
CZ	_____	\$10.00
DA	(48) Mortgage or mortgage and repair or improve real <u>(49)</u> property, complaint to	
DB	_____	\$20.00
DC	(49) Newly discovered assets, report of <u>(50)</u>	
DD	_____	\$7.00
DE	(50) Nonresident executor or administrator to bar creditors'	

	<u>(51)</u> claims, proceedings by	
DF	_____	\$20.00
DG	(51) Power of attorney or revocation of power, bonding <u>(52)</u> company	
DH	_____	\$10.00
DI	(52) Presumption of death, petition to establish <u>(53)</u>	
DJ	_____	\$20.00
DK	(53) Probating will <u>(54)</u>	
DL	_____	\$15.00
DM	Proof of notice to beneficiaries	
DN	_____	\$5.00
DO	(54) Purchase personal property, application of surviving <u>(55)</u> spouse to	
DP	_____	\$10.00
DQ	(55) Purchase real property at appraised value, petition of <u>(56)</u> surviving spouse to	
DR	_____	\$20.00
DS	(56) 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 <u>(58)</u> proceeding in the probate court, per page	
DX	_____	\$1.00
DY	(58) Release of estate by mortgagee or other lienholder <u>(59)</u>	
DZ	_____	\$5.00
EA	(59) Relieving an estate from administration under section <u>(60)</u> 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 <u>(61)</u>	
ED	_____	\$10.00
EE	(61) Requalification of executor or administrator <u>(62)</u>	
EF	_____	\$10.00
EG	(62) Resignation of fiduciary <u>(63)</u>	

EH	_____	\$5.00
EI	(63) Sale bill, public sale of personal property <u>(64)</u>	
EJ	_____	\$10.00
EK	(64) Sale of personal property and report, application for <u>(65)</u>	
EL	_____	\$10.00
EM	(65) Sale of real property, petition for <u>(66)</u>	
EN	_____	\$25.00
EO	(66) Terminate guardianship, petition to <u>(67)</u>	
EP	_____	\$10.00
EQ	(67) Transfer of real property, application, entry, and <u>(68)</u> certificate for	
ER	_____	\$7.00
ES	(68) Unclaimed money, application to invest <u>(69)</u>	
ET	_____	\$7.00
EU	(69) 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	17
of a guardian or the review of a report of a guardian under	18
section 2111.49 of the Revised Code, the probate court, pursuant	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.

(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.

(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.

(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.

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),

~~(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.

(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.

(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.

(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.

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

~~(B)~~ (2) A statement whether a limited guardianship is 141
sought and, if sought, a specification of the limited powers 142
that are requested and a statement whether the limited 143
guardianship is to be for a definite or indefinite period; 144

~~(C)~~ (3) In the case of an application for the appointment 145
of a guardian of a minor, all of the following: 146

~~(1)~~ (a) Name, age, and residence of the minor; 147

~~(2)~~ (b) Name and residence of each parent of the minor; 148

~~(3)~~ (c) Name, degree of kinship, age, and address of next 149
of kin of the minor, if no parent is living or if a parent of 150
the minor is absent, under disability, or for other reason 151
cannot be notified; 152

~~(4)~~ (d) Name and residence address of the person having 153
custody of the minor. 154

~~(D)~~ (4) In the case of an application for the appointment 155
of a guardian of an alleged incompetent, all of the following: 156

~~(1)~~ (a) Name, age, and residence of the person for whom 157
such appointment is sought; 158

~~(2)~~ (b) Facts upon which the application is based; 159

~~(3)~~ (c) Name, degree of kinship, age, and address of the 160
next of kin of the alleged incompetent. 161

(B) The court, on its own motion, shall proceed as 162
provided in this chapter, upon suggestion by the bureau of 163
workers' compensation that any person who has made application 164
for or been awarded compensation or death benefits as an 165
employee or the dependent of a killed employee is a minor or 166

incompetent. In that case, no application need be filed and the 167
bureau shall furnish the court with the name and residence of 168
such person and the name, degree of kinship, age, and address of 169
the father, mother, or next of kin of such person insofar as 170
known by the bureau. 171

(C) A parent or legal custodian may apply for guardianship 172
of the applicant's incompetent adult child at any time after the 173
child reaches seventeen years and six months of age. 174

The applicant shall notify the probate court if the child 175
is the subject of a pending proceeding or a court order to 176
allocate parental rights and responsibilities. If the child is 177
the subject of such a pending proceeding or court order at the 178
time of the filing of the application, the applicant shall serve 179
a copy of the guardianship hearing notice upon the court with 180
jurisdiction over the proceeding or court order. 181

Sec. 2111.121. (A) A person may nominate in a writing, as 182
described in this division, another person to be the guardian of 183
the nominator's person, estate, or both or the guardian of the 184
person, the estate, or both, of one or more of the nominator's 185
minor or incompetent adult children, whether born at the time of 186
the execution of the writing or afterward, subject to notice and 187
a hearing pursuant to section 2111.02 of the Revised Code. The 188
nomination is for consideration by a court if proceedings for 189
the appointment of a guardian of the person, the estate, or 190
both, for the person making the nomination or if proceedings for 191
the appointment of a guardian as the guardian of the person, the 192
estate, or both of one or more of the nominator's minor or 193
incompetent adult children are commenced at a later time. The 194
person may authorize, in a writing of that nature, the person 195
nominated as guardian to nominate a successor guardian for 196

consideration by a court. The person also may direct, in a 197
writing of that nature, that bond be waived for a person 198
nominated as guardian in it or nominated as a successor guardian 199
in accordance with an authorization in it. 200

To be effective as a nomination, the writing shall be 201
signed by the person making the nomination in the presence of 202
two witnesses; signed by the witnesses; and contain, immediately 203
prior to their signatures, an attestation of the witnesses that 204
the person making the nomination signed the writing in their 205
presence; or be acknowledged by the person making the nomination 206
before a notary public. 207

(B) A person's nomination, in a writing as described in 208
division (A) of this section, of a guardian of the nominator's 209
person, estate, or both or of a guardian of the person, the 210
estate, or both of one or more of the nominator's minor children 211
or incompetent adult children is revoked by the person's 212
subsequent nomination, in a writing as described in division (A) 213
of this section, of a guardian of the nominator's person, 214
estate, or both or of a guardian of the person, the estate, or 215
both of one or more of the nominator's minor children or 216
incompetent adult children, and, except for good cause shown or 217
disqualification, the court shall make its appointment in 218
accordance with the person's most recent nomination. If the 219
writing contains a waiver of bond, the court shall waive bond of 220
the person nominated as guardian unless it is of the opinion 221
that the interest of the trust demands it. 222

(C) Nomination of a person as a guardian or successor 223
guardian of the person, the estate, or both of one or more of 224
the nominator's minor or incompetent adult children under 225
division (A) of this section, and any subsequent appointment of 226

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 258
sufficient funds in the indigent guardianship fund of the county 259
in which the court is located to meet the needs of indigent 260
guardianships in that county, the court, by order, may declare a 261
surplus in the indigent guardianship fund and expend the surplus 262
funds for other guardianship expenses or for other court 263
purposes. 264

Sec. 2113.031. (A) As used in this section: 265

(1) "Financial institution" has the same meaning as in 266
section 5725.01 of the Revised Code. "Financial institution" 267
also includes a credit union and a fiduciary that is not a trust 268
company but that does trust business. 269

(2) "Funeral and burial expenses" means whichever of the 270
following applies: 271

(a) The funeral and burial expenses of the decedent that 272
are included in the bill of a funeral director; 273

(b) The funeral expenses of the decedent that are not 274
included in the bill of a funeral director and that have been 275
approved by the probate court; 276

(c) The funeral and burial expenses of the decedent that 277
are described in divisions (A) (2) (a) and (b) of this section. 278

(3) "Surviving spouse" means either of the following: 279

(a) The surviving spouse of a decedent who died leaving 280
the surviving spouse and no minor children; 281

(b) The surviving spouse of a decedent who died leaving 282
the surviving spouse and minor children, all of whom are 283

children of the decedent and the surviving spouse. 284

(B) (1) If the value of the assets of the decedent's estate 285
does not exceed the lesser of five thousand dollars or the 286
amount of the decedent's funeral and burial expenses, any person 287
who is not a surviving spouse and who has paid or is obligated 288
in writing to pay the decedent's funeral and burial expenses, 289
including a person described in section 2108.89 of the Revised 290
Code, may apply to the probate court for an order granting a 291
summary release from administration in accordance with this 292
section. 293

(2) If either of the following applies, the decedent's 294
surviving spouse may apply to the probate court for an order 295
granting a summary release from administration in accordance 296
with this section: 297

(a) The decedent's funeral and burial expenses have been 298
prepaid, and the value of the assets of the decedent's estate 299
does not exceed the total of the following items: 300

(i) The allowance for support that is made under division 301
(A) of section 2106.13 of the Revised Code to the surviving 302
spouse and, if applicable, to the decedent's minor children and 303
that is distributable in accordance with division (B) (1) or (2) 304
of that section; 305

(ii) An amount, not exceeding five thousand dollars, for 306
the decedent's funeral and burial expenses referred to in 307
division (A) (2) (c) of this section. 308

(b) The decedent's funeral and burial expenses have not 309
been prepaid, the decedent's surviving spouse has paid or is 310
obligated in writing to pay the decedent's funeral and burial 311
expenses, and the value of the assets of the decedent's estate 312

does not exceed the total of the items referred to in divisions 313
(B) (2) (a) (i) and (ii) of this section. 314

(C) A probate court shall order a summary release from 315
administration in connection with a decedent's estate only if 316
the court finds that all of the following are satisfied: 317

(1) A person described in division (B) (1) of this section 318
is the applicant for a summary release from administration, and 319
the value of the assets of the decedent's estate does not exceed 320
the lesser of five thousand dollars or the amount of the 321
decedent's funeral and burial expenses, or the applicant for a 322
summary release from administration is the decedent's surviving 323
spouse, and the circumstances described in division (B) (2) (a) or 324
(b) of this section apply. 325

(2) The application for a summary release from 326
administration does all of the following: 327

(a) Describes all assets of the decedent's estate that are 328
known to the applicant; 329

(b) Is in the form that the supreme court prescribes 330
pursuant to its powers of superintendence under Section 5 of 331
Article IV, Ohio Constitution, and is consistent with the 332
requirements of this division; 333

(c) Has been signed and acknowledged by the applicant in 334
the presence of a notary public or a deputy clerk of the probate 335
court; 336

(d) Sets forth the following information if the decedent's 337
estate includes a described type of asset: 338

(i) If the decedent's estate includes a motor vehicle, the 339
motor vehicle's year, make, model, body type, manufacturer's 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)~~ (A) (60) 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 370
the Revised Code. 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

shall order the entity holding the deposit to issue a refund of 459
any remaining deposit funds. 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