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Senate Bill 373
Senate Judiciary Committee
Chairman Eklund
Sponsor Testimony – Senator Bob Hackett
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Chair Eklund, Vice Chair Manning, Ranking Member Thomas, and members of the Senate Judiciary Committee, I thank you for this opportunity to present sponsor testimony for S.B. 373, which would modernize the legal name change procedure in Ohio’s probate courts. This bill is the Senate companion to H.B. 775, introduced by Representative Dean and Representative Perales. An updated version of this bill was included in Sub. H.B. 464, the “Probate Omnibus Bill,” recently passed out of the House.

This bill would create needed updates to Chapter 2717 of the Ohio Revised Code in two ways:

1. By amending the existing name change procedure to make the process faster, more efficient and at a lower cost to applicants by eliminating hearing and publication notice mandates and granting probate courts more discretion to determine the best way to administer each action on a case-by-case basis.
2. By enacting a new statutory procedure in to allow probate courts to correct specific errors in a person’s chain of identity so the individual’s current legal name is conformed for all purposes in all identity documents.

As in many counties, the Greene County Probate Court has experienced a sharp increase in the number of name change cases in the past few years. The increase in volume exposed several problems and limitations in the current way in which the court can correct certain name discrepancies through the existing name change statute, R.C. §2717.01, or birth record correction procedures in R.C. §3705.15. These issues may be more prevalent in Greene County because it is home to Wright Patterson Air Force Base, one of the largest military installations in the world and the largest single-site employer in Ohio. As a result, Greene County has a disproportionately large percentage of current and former military service members who were not born in Ohio and

who move in and out of the state frequently. Nonetheless, the same name correction problems and limitations exist throughout Ohio, thus the need for this legislative modernization.

The proposed statutory changes will improve public service by simplifying the process for changing a person's legal name or correcting errors or inconsistencies in their legal name in various identity documents. It will also improve judicial efficiency by giving courts discretion to determine the best way to handle each case. This will aid probate courts in facilitating the work of the Ohio Bureau of Motor Vehicles in its Ohio REAL ID program issuing federally compliant drivers' licenses and identification cards according to Department of Homeland Security regulations. The Ohio Judicial Conference and the Ohio Association of Probate Judges both support this effort to modernize the legal name change process, create a name conformity process, and allow the probate courts to better serve the citizens of Ohio.

Once again, Chair Eklund, Vice Chair Manning, Ranking Member Thomas, and members of the Senate Judiciary Committee thank you for your consideration of my testimony. I would be happy to answer any questions you may have.