

# As Introduced

**127th General Assembly  
Regular Session  
2007-2008**

**H. B. No. 154**

**Representative Wolpert**

**Cosponsors: Representatives Collier, Stebelton**

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## **A B I L L**

To amend sections 705.14, 705.55, 733.40, 733.44, 1  
733.51, 733.52, 753.02, 753.021, 955.99, 1901.021, 2  
1901.024, 1901.04, 1901.11, 1901.181, 1901.31, 3  
1905.29, 2335.06, 2903.212, 2921.25, 2931.01, 4  
2933.02, 2933.03, 2933.04, 2933.05, 2933.06, 5  
2933.10, 2937.08, 2938.04, 2953.03, 2953.07, 6  
3375.50, 4503.13, 4503.233, 4507.091, 4507.164, 7  
4509.33, 4509.35, 4510.03, 4510.031, 4510.036, 8  
4510.13, 4510.14, 4510.53, 4511.193, 4511.197, 9  
4513.263, 4521.01, 5502.61, and 5503.04; to amend, 10  
for the purpose of adopting a new section number 11  
as indicated in parentheses, section 1905.29 12  
(737.34); to enact sections 1905.41, 1905.42, 13  
1905.43, 1905.44, 1905.45, 1905.46, 1905.47, 14  
1905.48, 1905.49, 1905.50, 1905.51, 1905.52, 15  
1905.53, 1905.54, 1905.55, 1905.56, and 1905.57; 16  
to repeal sections 341.33, 1905.01, 1905.02, 17  
1905.03, 1905.031, 1905.032, 1905.033, 1905.04, 18  
1905.05, 1905.08, 1905.17, 1905.20, 1905.201, 19  
1905.21, 1905.22, 1905.23, 1905.24, 1905.25, 20  
1905.26, 1905.28, 1905.30, 1905.31, 1905.32, 21  
1905.34, 1905.35, 1905.36, 1905.37, 2933.07, 22  
2933.08, and 2933.09 of the Revised Code to 23

abolish mayor's courts and to create community 24  
courts and to modify the compensation of municipal 25  
court judges in territories having a population of 26  
more than 50,000. 27

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

**Section 1.** That sections 705.14, 705.55, 733.40, 733.44, 28  
733.51, 733.52, 753.02, 753.021, 955.99, 1901.021, 1901.024, 29  
1901.04, 1901.11, 1901.181, 1901.31, 1905.29, 2335.06, 2903.212, 30  
2921.25, 2931.01, 2933.02, 2933.03, 2933.04, 2933.05, 2933.06, 31  
2933.10, 2937.08, 2938.04, 2953.03, 2953.07, 3375.50, 4503.13, 32  
4503.233, 4507.091, 4507.164, 4509.33, 4509.35, 4510.03, 4510.031, 33  
4510.036, 4510.13, 4510.14, 4510.53, 4511.193, 4511.197, 4513.263, 34  
4521.01, 5502.61, and 5503.04 be amended, section 1905.29 (737.34) 35  
be amended for the purpose of adopting a new section number as 36  
indicated in parentheses, and sections 1905.41, 1905.42, 1905.43, 37  
1905.44, 1905.45, 1905.46, 1905.47, 1905.48, 1905.49, 1905.50, 38  
1905.51, 1905.52, 1905.53, 1905.54, 1905.55, 1905.56, and 1905.57 39  
of the Revised Code be enacted to read as follows: 40

**Sec. 705.14.** Except as otherwise provided in section 705.53 41  
of the Revised Code, at the first meeting following each regular 42  
municipal election, the legislative authority of a municipal 43  
corporation shall elect one of its members as ~~chairman~~ chairperson 44  
and one other member as ~~vice-chairman~~ vice-chairperson. The 45  
~~chairman~~ chairperson shall preside at meetings of the legislative 46  
authority and perform ~~such any~~ such duties as ~~that~~ that are imposed upon ~~him~~ 47  
the chairperson, as presiding officer, by the legislative 48  
authority. ~~In municipal corporations in which a municipal court is~~ 49  
~~not otherwise provided, the chairman shall perform all of the~~ 50  
~~general duties provided in section 733.30 of the Revised Code,~~ 51  
~~shall have such jurisdiction as is provided by section 1905.20 of~~ 52

~~the Revised Code, and shall be styled "police justice" in the~~ 53  
~~performance of all judicial duties, and in such style he shall~~ 54  
~~sign all processes and judicial records during the time he serves.~~ 55  
~~He shall keep a docket in which he shall enter all cases brought~~ 56  
~~before him. Such docket shall be provided by and be the property~~ 57  
~~of the municipal corporation. At the end of each month, such~~ 58  
~~police justice shall make a report to the legislative authority of~~ 59  
~~all cases brought before him.~~ 60

When the ~~chairman~~ chairperson of the legislative authority ~~or~~ 61  
~~police justice~~ is absent from the municipal corporation, or is 62  
unable to perform ~~his~~ official duties, or in case of death, 63  
resignation, or removal, the ~~vice-chairman~~ vice-chairperson shall 64  
act as ~~chairman~~ chairperson and perform all of the duties provided 65  
for ~~chairman and police justice~~ the chairperson, pending any 66  
future meeting of the legislative authority at which it may select 67  
one of its members, who has been elected as provided in sections 68  
705.31 and 705.32 of the Revised Code, to become the ~~chairman and~~ 69  
~~police justice~~ chairperson for the period of time that ~~such~~ 70  
~~chairman~~ the chairperson is absent from the municipal corporation, 71  
or is incapacitated for any cause, or in the event of ~~his~~ death, 72  
resignation, or removal. The member so selected shall become the 73  
~~chairman~~ chairperson of the legislative authority ~~and police~~ 74  
~~justice~~ for the unexpired term. 75

**Sec. 705.55.** The powers conferred upon municipal corporations 76  
by the Ohio Constitution and any additional powers conferred upon 77  
municipal corporations by the general assembly, shall be exercised 78  
by the council, unless the exercise of such powers is expressly 79  
conferred upon some other authority of the municipal corporation 80  
or reserved to the people ~~thereof~~ of the municipal corporation. ~~In~~ 81  
~~municipal corporations in which a municipal court is not provided~~ 82  
~~by law, each councilman may perform all of the general duties of~~ 83  
~~mayors, as provided in section 733.30 of the Revised Code, and~~ 84

~~shall have such jurisdiction as is provided by section 1905.20 of  
the Revised Code. The member of council elected chairman shall  
perform all judicial functions.~~

**Sec. 733.40.** Except as otherwise provided in section 4511.193  
of the Revised Code, all fines, forfeitures, and costs in  
ordinance cases and all fees that are collected by the mayor or by  
the clerk or magistrate of the community court of a municipal  
corporation, that in any manner come into the mayor's hands, or  
that are due the mayor or a marshal, chief of police, or other  
officer of the municipal corporation, any other fees and expenses  
that have been advanced out of the treasury of the municipal  
corporation, and all money received by the mayor for the use of  
the municipal corporation shall be paid by the mayor or by the  
clerk or magistrate of the community court into the treasury of  
the municipal corporation on the first Monday of each month. At  
the first regular meeting of the legislative authority each month,  
the mayor and the clerk or magistrate of the community court shall  
submit a full statement of all money received, from whom and for  
what purposes received, and when paid into the treasury. Except as  
otherwise provided by sections 3375.50 to 3375.52 or 4511.19 of  
the Revised Code, all fines, and forfeitures collected by the  
~~mayor~~ clerk or magistrate of the community court in state cases,  
together with all fees and expenses collected that have been  
advanced out of the county treasury, shall be paid by the ~~mayor~~  
clerk or magistrate to the county treasury on the first business  
day of each month. Except as otherwise provided by sections  
3375.50 to 3375.52 or 4511.19 of the Revised Code, the ~~mayor~~ clerk  
or magistrate of the community court shall pay all court costs and  
fees collected by the ~~mayor~~ clerk or magistrate in state cases  
into the municipal treasury on the first business day of each  
month.

This section does not apply to fines collected by a ~~mayer's~~ 117  
clerk or magistrate of a community court for violations of 118  
division (B) of section 4513.263 of the Revised Code, or for 119  
violations of any municipal ordinance that is substantively 120  
comparable to that division, all of which shall be forwarded to 121  
the treasurer of state as provided in division (E) of section 122  
4513.263 of the Revised Code. 123

**Sec. 733.44.** The treasurer of a municipal corporation shall 124  
demand and receive, from the county treasurer, taxes levied and 125  
assessments made and certified to the county auditor by the 126  
legislative authority of ~~such~~ the municipal corporation and placed 127  
on the tax list by ~~such~~ the county auditor for collection, moneys, 128  
from persons authorized to collect or required to pay them, 129  
accruing to the municipal corporation from any judgments, fines, 130  
penalties, forfeitures, licenses, costs taxed in ~~mayer's~~ community 131  
court, and debts due the municipal corporation. Such funds shall 132  
be disbursed by the treasurer on the order of any person 133  
authorized by law or ordinance to issue orders therefor. 134

**Sec. 733.51.** The city director of law shall prepare all 135  
contracts, bonds, and other instruments in writing in which the 136  
city is concerned, and shall serve the several directors and 137  
officers provided in Title VII of the Revised Code as legal 138  
counsel and attorney. 139

The director of law shall be prosecuting attorney of the 140  
~~mayer's~~ community court. When the legislative authority of the 141  
city allows assistants to the director of law, ~~he~~ the director of 142  
law may designate the assistants to act as prosecuting attorneys 143  
of the ~~mayer's~~ community court. The person designated shall be 144  
subject to the approval of the legislative authority. 145

**Sec. 733.52.** The city director of law as prosecuting attorney 146

of the ~~mayer's~~ community court shall prosecute all cases brought 147  
before the court, and shall perform the same duties, as far as 148  
they are applicable ~~thereto~~ to the city director of law, as 149  
required of the prosecuting attorney of the county. 150

The director of law or the assistants whom ~~he~~ the director of 151  
law designates to act as prosecuting attorneys of the ~~mayer's~~ 152  
community court shall receive ~~such~~ the compensation for the 153  
service provided by this section ~~as~~ that the legislative authority 154  
of the city prescribes, and ~~such~~ any additional compensation ~~as~~ 155  
that the board of county commissioners allows. 156

**Sec. ~~1905.29~~ 737.34.** (A) The mayor of a municipal corporation 157  
has within the corporate limits all the powers conferred upon 158  
sheriffs to suppress disorder and keep the peace. 159

(B) The mayor of a municipal corporation, and, in ~~his~~ the 160  
mayor's absence, the president of the legislative authority of the 161  
municipal corporation, may grant to officials of adjoining or 162  
contiguous townships the temporary use of the municipal 163  
corporation prison, station house, or watchhouse to confine 164  
criminals or other persons dangerous to the peace of the 165  
community, until they can be ~~safety~~ safely removed to the county 166  
jail, or other place of security. 167

**Sec. 753.02.** (A) The legislative authority of a municipal 168  
corporation shall provide by ordinance for sustaining all persons 169  
sentenced to or confined in a prison or station house at the 170  
expense of the municipal corporation, and in counties where 171  
prisons or station houses are in quarters leased from the board of 172  
county commissioners, may contract with the board for the care and 173  
maintenance of those persons by the sheriff or other person 174  
charged with the care and maintenance of county prisoners. On the 175  
presentation of bills for food, sustenance, and necessary 176

supplies, to the proper officer, certified by the person whom the legislative authority designates, the officer shall audit the bills under the rules prescribed by the legislative authority, and draw the officer's order on the treasurer of the municipal corporation in favor of the person presenting the bill.

(B) Pursuant to section 2929.37 of the Revised Code, the legislative authority of the municipal corporation may require a person who was convicted of an offense and who is confined in a prison or station house as provided in division (A) of this section, or a person who was convicted of an offense and who is confined in the county jail as provided in division (A) of section ~~1905.35~~ 1905.57 of the Revised Code, to reimburse the municipal corporation for its expenses incurred by reason of the person's confinement.

(C) Notwithstanding any contrary provision in this section or section 2929.18, 2929.28, or 2929.37 of the Revised Code, the legislative authority of the municipal corporation may establish a policy that complies with section 2929.38 of the Revised Code and that requires any person who is not indigent and who is confined in a prison or station house to pay a reception fee, a fee for any medical treatment or service requested by and provided to that person, or the fee for a random drug test assessed under division (E) of section 753.33 of the Revised Code.

(D) If a person who has been convicted of or pleaded guilty to an offense is sentenced to a term of imprisonment in a prison or station house as described in division (A) of this section, or if a person who has been arrested for an offense, and who has been denied bail or has had bail set and has not been released on bail is confined in a prison or station house as described in division (A) of this section pending trial, at the time of reception and at other times the person in charge of the operation of the prison or station house determines to be appropriate, the person in charge

of the operation of the prison or station house may cause the 209  
convicted or accused offender to be examined and tested for 210  
tuberculosis, HIV infection, hepatitis, including, but not limited 211  
to, hepatitis A, B, and C, and other contagious diseases. The 212  
person in charge of the operation of the prison or station house 213  
may cause a convicted or accused offender in the prison or station 214  
house who refuses to be tested or treated for tuberculosis, HIV 215  
infection, hepatitis, including, but not limited to, hepatitis A, 216  
B, and C, or another contagious disease to be tested and treated 217  
involuntarily. 218

**Sec. 753.021.** (A) For each person who is confined in a prison 219  
or station house as provided in section 753.02 of the Revised Code 220  
or in a county jail as provided in division (A) of section 1905.35 221  
1905.57 of the Revised Code, the municipal corporation may make a 222  
determination as to whether the person is covered under a health 223  
insurance or health care policy, contract, or plan and, if the 224  
person has such coverage, what terms and conditions are imposed by 225  
it for the filing and payment of claims. 226

(B) If, pursuant to division (A) of this section, it is 227  
determined that the person is covered under a policy, contract, or 228  
plan and, while that coverage is in force, the prison, station 229  
house, or county jail renders or arranges for the rendering of 230  
health care services to the person, in accordance with the terms 231  
and conditions of the policy, contract, or plan, then the person, 232  
municipal corporation, or provider of the health care services, as 233  
appropriate under the terms and conditions of the policy, 234  
contract, or plan, shall promptly submit a claim for payment for 235  
the health care services to the appropriate third-party payer and 236  
shall designate, or make any other arrangement necessary to 237  
ensure, that payment of any amount due on the claim be made to the 238  
municipal corporation or the provider, as the case may be. 239

(C) Any payment made to the municipal corporation pursuant to 240  
division (B) of this section shall be paid into the treasury of 241  
the municipal corporation. 242

(D) This section also applies to any person who is under the 243  
custody of a law enforcement officer, as defined in section 244  
2901.01 of the Revised Code, prior to the person's confinement in 245  
the prison, station house, or county jail. 246

**Sec. 955.99.** (A)(1) Whoever violates division (E) of section 247  
955.11 of the Revised Code because of a failure to comply with 248  
division (B) of that section is guilty of a minor misdemeanor. 249

(2) Whoever violates division (E) of section 955.11 of the 250  
Revised Code because of a failure to comply with division (C) or 251  
(D) of that section is guilty of a minor misdemeanor on a first 252  
offense and of a misdemeanor of the fourth degree on each 253  
subsequent offense. 254

(B) Whoever violates section 955.10, 955.23, 955.24, or 255  
955.25 of the Revised Code is guilty of a minor misdemeanor. 256

(C) Whoever violates section 955.261, 955.39, or 955.50 of 257  
the Revised Code is guilty of a minor misdemeanor on a first 258  
offense and of a misdemeanor of the fourth degree on each 259  
subsequent offense. 260

(D) Whoever violates division (F) of section 955.16 or 261  
division (B) of section 955.43 of the Revised Code is guilty of a 262  
misdemeanor of the fourth degree. 263

(E)(1) Whoever violates section 955.21 or division (B) or (C) 264  
of section 955.22 of the Revised Code shall be fined not less than 265  
twenty-five dollars or more than one hundred dollars on a first 266  
offense, and on each subsequent offense shall be fined not less 267  
than seventy-five dollars or more than two hundred fifty dollars 268  
and may be imprisoned for not more than thirty days. 269

(2) In addition to the penalties prescribed in division (E)(1) of this section, if the offender is guilty of a violation of division (B) or (C) of section 955.22 of the Revised Code, the court may order the offender to personally supervise the dog that the offender owns, keeps, or harbors, to cause that dog to complete dog obedience training, or to do both.

(F) If a violation of division (D) of section 955.22 of the Revised Code involves a dangerous dog, whoever violates that division is guilty of a misdemeanor of the fourth degree on a first offense and of a misdemeanor of the third degree on each subsequent offense. Additionally, the court may order the offender to personally supervise the dangerous dog that the offender owns, keeps, or harbors, to cause that dog to complete dog obedience training, or to do both, and the court may order the offender to obtain liability insurance pursuant to division (E) of section 955.22 of the Revised Code. The court, in the alternative, may order the dangerous dog to be humanely destroyed by a licensed veterinarian, the county dog warden, or the county humane society.

(G) If a violation of division (D) of section 955.22 of the Revised Code involves a vicious dog, whoever violates that division is guilty of one of the following:

(1) A felony of the fourth degree on a first or subsequent offense if the dog kills or seriously injures a person. Additionally, the court shall order that the vicious dog be humanely destroyed by a licensed veterinarian, the county dog warden, or the county humane society.

(2) A misdemeanor of the first degree on a first offense and a felony of the fourth degree on each subsequent offense. Additionally, the court may order the vicious dog to be humanely destroyed by a licensed veterinarian, the county dog warden, or the county humane society.

(3) A misdemeanor of the first degree if the dog causes 301  
injury, other than killing or serious injury, to any person. 302

(H) Whoever violates division (A)(2) of section 955.01 or 303  
division (E) of section 955.22 of the Revised Code is guilty of a 304  
misdemeanor of the first degree. 305

(I) Whoever violates division (C) of section 955.221 of the 306  
Revised Code is guilty of a minor misdemeanor. Each day of 307  
continued violation constitutes a separate offense. Fines levied 308  
and collected for violations of that division shall be distributed 309  
by the ~~mayer~~ or clerk of the community, municipal, or county court 310  
in accordance with section 733.40, division (F) of section 311  
1901.31, or division (C) of section 1907.20 of the Revised Code to 312  
the treasury of the county, township, or municipal corporation 313  
whose resolution or ordinance was violated. 314

(J) Whoever violates division (F)(1), (2), or (3) of section 315  
955.22 of the Revised Code is guilty of a felony of the fourth 316  
degree. Additionally, the court shall order that the vicious dog 317  
be humanely destroyed by a licensed veterinarian, the county dog 318  
warden, or the county humane society. 319

**Sec. 1901.021.** (A) The judge or judges of any municipal court 320  
established under division (A) of section 1901.01 of the Revised 321  
Code having territorial jurisdiction outside the corporate limits 322  
of the municipal corporation in which it is located may sit 323  
outside the corporate limits of the municipal corporation within 324  
the area of its territorial jurisdiction. 325

(B) Two or more of the judges of the Hamilton county 326  
municipal court shall be assigned by the presiding judge of the 327  
court to sit outside the municipal corporation of Cincinnati. 328

(C) Two of the judges of the Portage county municipal court 329  
shall sit within the municipal corporation of Ravenna, and one of 330

the judges shall sit within the municipal corporation of Kent. The 331  
judges may sit in other incorporated areas of Portage county. 332

(D) One of the judges of the Wayne county municipal court 333  
shall sit within the municipal corporation of Wooster, and one 334  
shall sit within the municipal corporation of Orrville. Both 335  
judges may sit in other incorporated areas of Wayne county. 336

(E) The judge of the Auglaize county municipal court shall 337  
sit within the municipal corporations of Wapakoneta and St. Marys 338  
and may sit in other incorporated areas in Auglaize county. 339

(F) At least one of the judges of the Miami county municipal 340  
court shall sit within the municipal corporations of Troy, Piqua, 341  
and Tipp City, and the judges may sit in other incorporated areas 342  
of Miami county. 343

(G) The judge of the Crawford county municipal court shall 344  
sit within the municipal corporations of Bucyrus and Galion and 345  
may sit in other incorporated areas in Crawford county. 346

(H) The judge of the Jackson county municipal court shall sit 347  
within the municipal corporations of Jackson and Wellston and may 348  
sit in other incorporated areas in Jackson county. 349

(I) Each judge of the Columbiana county municipal court may 350  
sit within the municipal corporation of Lisbon, Salem, or East 351  
Palestine until the judges jointly select a central location 352  
within the territorial jurisdiction of the court. When the judges 353  
select a central location, the judges shall sit at that location. 354

(J) In any municipal court, other than the Hamilton county 355  
municipal court, that has more than one judge, the decision for 356  
one or more judges to sit outside the corporate limits of the 357  
municipal corporation shall be made by rule of the court as 358  
provided in division (C) of sections 1901.14 and 1901.16 of the 359  
Revised Code. 360

(K) The assignment of a judge to sit in a municipal corporation other than that in which the court is located does not affect the jurisdiction of the ~~mayor except as provided in section 1905.01 of the Revised Code~~ community court, if any, in that municipal corporation.

(L) The judges of the Clermont county municipal court may sit in any municipal corporation or unincorporated territory within Clermont county.

**Sec. 1901.024.** (A) The board of county commissioners of Hamilton county shall pay all of the costs of operation of the Hamilton county municipal court. Subject to division (F)(2) of section 1901.31 and to sections 3375.50, 3375.53, 4511.19, 4511.193, and 5503.04 of the Revised Code and to any other section of the Revised Code that requires a specific manner of disbursement of any moneys received by a municipal court, the county shall receive all of the costs, fees, and other moneys, except fines collected for violations of municipal ordinances and for violations of township resolutions adopted pursuant to Chapter 504. of the Revised Code, that are received by the Hamilton county municipal court and shall receive fifty per cent of all of the fines for violations of municipal ordinances and for violations of township resolutions adopted pursuant to Chapter 504. of the Revised Code that are received by the court.

(B) The board of county commissioners of Lawrence county shall pay all of the costs of operation of the Lawrence county municipal court. Subject to division (F)(2) of section 1901.31 and to sections 3375.50, 3375.53, 4511.19, 4511.193, and 5503.04 of the Revised Code and to any other section of the Revised Code that requires a specific manner of disbursement of any moneys received by a municipal court, the county shall receive all of the costs, fees, and other moneys, except fines collected for violations of

municipal ordinances and for violations of township resolutions 392  
adopted pursuant to Chapter 504. of the Revised Code, that are 393  
received by the Lawrence county municipal court and shall receive 394  
fifty per cent of all of the fines for violations of municipal 395  
ordinances and for violations of township resolutions adopted 396  
pursuant to Chapter 504. of the Revised Code that are received by 397  
the court. 398

(C) The board of county commissioners of Ottawa county shall 399  
pay all of the costs of operation of the Ottawa county municipal 400  
court. Subject to division (F)(2) of section 1901.31 and to 401  
sections 3375.50, 3375.53, 4511.19, 4511.193, and 5503.04 of the 402  
Revised Code and to any other section of the Revised Code that 403  
requires a specific manner of disbursement of any moneys received 404  
by a municipal court, the county shall receive all of the costs, 405  
fees, and other moneys, except fines collected for violations of 406  
municipal ordinances and for violations of township resolutions 407  
adopted pursuant to Chapter 504. of the Revised Code, that are 408  
received by the Ottawa county municipal court and shall receive 409  
fifty per cent of all of the fines for violations of municipal 410  
ordinances and for violations of township resolutions adopted 411  
pursuant to Chapter 504. of the Revised Code that are received by 412  
the court. 413

(D) The board of county commissioners of a county in which a 414  
county-operated municipal court is located shall pay all of the 415  
costs of operation of the municipal court. The county in which a 416  
county-operated municipal court that is not subject to division 417  
(A), (B), or (C) of this section is located shall receive all of 418  
the costs, fees, and other moneys, except fines collected for 419  
violations of municipal ordinances and for violations of township 420  
resolutions adopted pursuant to Chapter 504. of the Revised Code 421  
and except as provided in division (F)(2) of section 1901.31 and 422  
sections 3375.50, 3375.53, and 5503.04 of the Revised Code and in 423

any other section of the Revised Code that requires a specific 424  
manner of disbursement of any moneys received by a municipal 425  
court, that are received by the court. 426

**Sec. 1901.04.** Upon the institution of a municipal court ~~either~~ 427  
~~than the Brown county municipal court or the Morrow county~~ 428  
~~municipal court,~~ the jurisdiction of the ~~mayor~~ community court, if 429  
one exists, in all civil and criminal causes terminates within the 430  
municipal corporation in which the municipal court is located. ~~The~~ 431  
~~institution of the Brown county municipal court or the Morrow~~ 432  
~~county municipal court does not terminate or affect the~~ 433  
~~jurisdiction of the mayor of Georgetown or the mayor of Mount~~ 434  
~~Gilead, respectively, in any civil or criminal cause. Upon the~~ 435  
~~institution of either court, the mayor of Georgetown and the mayor~~ 436  
~~of Mount Gilead retain jurisdiction in causes as described in~~ 437  
~~section 1905.01 of the Revised Code. Those mayors shall exercise~~ 438  
~~that jurisdiction concurrently with the municipal court.~~ Upon the 439  
institution of a municipal court, all ~~mayors~~ community courts of 440  
municipal corporations within the territory other than the 441  
municipal corporation in which the court is located may retain any 442  
jurisdiction that is now provided in all criminal causes involving 443  
violation of ordinances of their respective municipal corporations 444  
and in all criminal causes involving moving traffic violations 445  
occurring on state highways located within their respective 446  
municipal corporations, to be exercised concurrently with the 447  
municipal court. 448

Upon the institution of a municipal court, the jurisdiction 449  
of county courts in all civil and criminal causes terminates in 450  
any township or municipal corporation that is entirely within the 451  
territory. 452

Upon the institution of a municipal court, all causes, 453  
judgments, executions, and proceedings then pending in community 454

courts ~~of mayors~~ and county courts within the territory as to 455  
which their jurisdiction is terminated by this section shall 456  
proceed in the municipal court as if originally instituted in the 457  
municipal court. The parties may make any amendments to their 458  
pleadings that are required to conform to the rules of the 459  
municipal court. 460

In all cases over which the municipal court is given 461  
jurisdiction and for which the jurisdiction of county courts and 462  
~~the community courts of mayors~~ is terminated by this section upon 463  
the institution of the municipal court, the pleadings, orders, 464  
entries, dockets, bonds, papers, records, books, exhibits, files, 465  
moneys, property, and persons that belong to, are in the 466  
possession of, or are subject to the jurisdiction of the community 467  
~~courts of mayors~~ or county courts or any officer of either court 468  
and that are in any municipal corporation or township ~~which that~~ 469  
is entirely within the territory of a municipal court shall be 470  
transferred by their custodian to the municipal court. If a part 471  
of any township that was within the jurisdiction of a county court 472  
is included within the territory of a municipal court, all 473  
pleadings, orders, entries, dockets, bonds, papers, records, 474  
books, exhibits, files, moneys, property, and persons that belong 475  
to, are in the possession of, or are subject to the jurisdiction 476  
of the county court or any officer of the county court and that 477  
pertain to causes, judgments, executions, and proceedings then 478  
pending in the county court and arising from the court's 479  
jurisdiction in that part of the township within the territory of 480  
the municipal court shall be transferred by their custodian to the 481  
municipal court. 482

~~The termination of a municipal court reinstates the 483  
jurisdiction of the mayor of the municipal corporation in which 484  
the terminated municipal court was located, if the jurisdiction of 485  
the mayor was terminated by this section. 486~~

Sec. 1901.11. (A)(1) Beginning July 1, 1997, judges 487  
designated as part-time judges by section 1901.08 of the Revised 488  
Code, ~~other than part-time judges to whom division (B)(1)(a) of~~ 489  
~~this section applies,~~ shall receive as compensation thirty-five 490  
thousand five hundred dollars each year in addition to the 491  
compensation payable from the state treasury under division (A)(6) 492  
of section 141.04 of the Revised Code. 493

(2) Part-time judges shall be disqualified from the practice 494  
of law only as to matters pending or originating in the courts in 495  
which they serve during their terms of office. 496

(B)(1)(a) Judges designated as full-time judges by section 497  
1901.08 of the Revised Code, ~~and all judges of territories having~~ 498  
~~a population of more than fifty thousand regardless of~~ 499  
~~designation,~~ are subject to section 4705.01 of the Revised Code 500  
and, pursuant to division (C) of this section, ~~beginning July 1,~~ 501  
~~1997,~~ shall receive as compensation sixty-one thousand seven 502  
hundred fifty dollars per annum. 503

(b) ~~These~~ Full-time judges also shall receive, in accordance 504  
with division (B) of section 141.04 of the Revised Code, the 505  
compensation described in division (A)(5) of that section from the 506  
state treasury. 507

(2) The presiding judge of a municipal court who is also the 508  
administrative judge of the court, shall receive, pursuant to 509  
division (C) of this section, an additional one thousand five 510  
hundred dollars per annum. 511

(C) The compensation of municipal judges that is described in 512  
divisions (A)(1) and (B)(1)(a) and (2) of this section may be paid 513  
in either biweekly installments or semimonthly installments, as 514  
determined by the payroll administrator, three-fifths of the 515  
amount being payable from the city treasury and two-fifths of the 516  
amount being payable from the treasury of the county in which the 517

municipal corporation is situated, except that all of the 518  
compensation of the judges of a county-operated municipal court 519  
that is described in divisions (A)(1) and (B)(1)(a) and (2) of 520  
this section shall be payable out of the treasury of the county in 521  
which the court is located. If the territory is located in two or 522  
more counties, a total of two-fifths of the amount that is 523  
described in divisions (A)(1) and (B)(1)(a) and (2) of this 524  
section shall be payable by all of the counties in proportionate 525  
shares from the treasury of each of the counties in accordance 526  
with the respective populations of that portion of each of the 527  
several counties within the jurisdiction of the court. 528

(D) No municipal judge shall hold any other office of trust 529  
or profit under the authority of this state or the United States. 530

(E) As used in this section, "compensation" does not include 531  
any portion of the cost, premium, or charge for sickness and 532  
accident insurance or other coverage of hospitalization, surgical 533  
care, major medical care, disability, dental care, eye care, 534  
medical care, hearing aids, and prescription drugs, or any 535  
combination of those benefits or services, covering a judge of a 536  
municipal court and paid on the judge's behalf by a governmental 537  
entity. 538

**Sec. 1901.181.** (A)(1) Except as otherwise provided in this 539  
division and division (A)(2) of this section and subject to 540  
division ~~(C)~~(B) of this section, if a municipal court has a 541  
housing or environmental division, the division has exclusive 542  
jurisdiction within the territory of the court in any civil action 543  
to enforce any local building, housing, air pollution, sanitation, 544  
health, fire, zoning, or safety code, ordinance, or regulation 545  
applicable to premises used or intended for use as a place of 546  
human habitation, buildings, structures, or any other real 547  
property subject to any such code, ordinance, or regulation, and, 548

except in the environmental division of the Franklin county 549  
municipal court, in any civil action commenced pursuant to Chapter 550  
1923. or 5321. or sections 5303.03 to 5303.07 of the Revised Code. 551  
Except as otherwise provided in division (A)(2) of this section 552  
and subject to section 1901.20 of the Revised Code and to division 553  
(~~C~~)(B) of this section, the housing or environmental division of a 554  
municipal court has exclusive jurisdiction within the territory of 555  
the court in any criminal action for a violation of any local 556  
building, housing, air pollution, sanitation, health, fire, 557  
zoning, or safety code, ordinance, or regulation applicable to 558  
premises used or intended for use as a place of human habitation, 559  
buildings, structures, or any other real property subject to any 560  
such code, ordinance, or regulation. Except as otherwise provided 561  
in division (A)(2) of this section and subject to division (~~C~~)(B) 562  
of this section, the housing or environmental division of a 563  
municipal court also has exclusive jurisdiction within the 564  
territory of the court in any civil action as described in 565  
division (B)(1) of section 3767.41 of the Revised Code that 566  
relates to a public nuisance. To the extent any provision of this 567  
chapter conflicts or is inconsistent with a provision of section 568  
3767.41 of the Revised Code, the provision of that section shall 569  
control in a civil action described in division (B)(1) of that 570  
section. 571

(2) If a municipal court has an environmental division, if 572  
~~the mayor of~~ any municipal corporation within the territory of the 573  
municipal court conducts a ~~mayor's~~ community court, and if any 574  
action described in division (A)(1) of this section as being 575  
within the jurisdiction of the environmental division otherwise is 576  
within the jurisdiction of the ~~mayor's~~ community court, as set 577  
forth in section ~~1905.01~~ 1905.43 of the Revised Code, the 578  
jurisdiction of the environmental division over the action is 579  
concurrent with the jurisdiction of that ~~mayor's~~ community court 580  
over the action. 581

(B)(1) If the judge of the environmental division of the Franklin county municipal court or the judge of the housing division of a municipal court is on vacation, sick, absent, or is unavailable because of recusal or another reason, the administrative judge of the court, in accordance with the Rules of Superintendence for Municipal Courts and County Courts, shall assign another judge or judges of the court to handle any action or proceeding or, if necessary, all actions and proceedings of the division during the time that its judge is unavailable.

(2) The Franklin county municipal court may adopt, by rule, procedures for other judges of the court to handle particular proceedings arising out of actions within the jurisdiction of the environmental division of the court when the judge of that division is unable for any reason to handle a particular proceeding at the time, or within the time period, necessary for a timely or appropriate disposition of the proceeding. Upon the adoption of and in accordance with those rules, any judge of the court may handle any proceeding that arises out of an action within the jurisdiction of the environmental division of the court.

**Sec. 1901.31.** The clerk and deputy clerks of a municipal court shall be selected, be compensated, give bond, and have powers and duties as follows:

(A) There shall be a clerk of the court who is appointed or elected as follows:

(1)(a) Except in the Akron, Barberton, Toledo, Hamilton county, Portage county, and Wayne county municipal courts and through December 31, 2008, the Cuyahoga Falls municipal court, if the population of the territory equals or exceeds one hundred thousand at the regular municipal election immediately preceding the expiration of the term of the present clerk, the clerk shall

be nominated and elected by the qualified electors of the 613  
territory in the manner that is provided for the nomination and 614  
election of judges in section 1901.07 of the Revised Code. 615

The clerk so elected shall hold office for a term of six 616  
years, which term shall commence on the first day of January 617  
following the clerk's election and continue until the clerk's 618  
successor is elected and qualified. 619

(b) In the Hamilton county municipal court, the clerk of 620  
courts of Hamilton county shall be the clerk of the municipal 621  
court and may appoint an assistant clerk who shall receive the 622  
compensation, payable out of the treasury of Hamilton county in 623  
semimonthly installments, that the board of county commissioners 624  
prescribes. The clerk of courts of Hamilton county, acting as the 625  
clerk of the Hamilton county municipal court and assuming the 626  
duties of that office, shall receive compensation at one-fourth 627  
the rate that is prescribed for the clerks of courts of common 628  
pleas as determined in accordance with the population of the 629  
county and the rates set forth in sections 325.08 and 325.18 of 630  
the Revised Code. This compensation shall be paid from the county 631  
treasury in semimonthly installments and is in addition to the 632  
annual compensation that is received for the performance of the 633  
duties of the clerk of courts of Hamilton county, as provided in 634  
sections 325.08 and 325.18 of the Revised Code. 635

(c) In the Portage county and Wayne county municipal courts, 636  
the clerks of courts of Portage county and Wayne county shall be 637  
the clerks, respectively, of the Portage county and Wayne county 638  
municipal courts and may appoint a chief deputy clerk for each 639  
branch that is established pursuant to section 1901.311 of the 640  
Revised Code and assistant clerks as the judges of the municipal 641  
court determine are necessary, all of whom shall receive the 642  
compensation that the legislative authority prescribes. The clerks 643  
of courts of Portage county and Wayne county, acting as the clerks 644

of the Portage county and Wayne county municipal courts and 645  
assuming the duties of these offices, shall receive compensation 646  
payable from the county treasury in semimonthly installments at 647  
one-fourth the rate that is prescribed for the clerks of courts of 648  
common pleas as determined in accordance with the population of 649  
the county and the rates set forth in sections 325.08 and 325.18 650  
of the Revised Code. 651

(d) Except as otherwise provided in division (A)(1)(d) of 652  
this section, in the Akron municipal court, candidates for 653  
election to the office of clerk of the court shall be nominated by 654  
primary election. The primary election shall be held on the day 655  
specified in the charter of the city of Akron for the nomination 656  
of municipal officers. Notwithstanding any contrary provision of 657  
section 3513.05 or 3513.257 of the Revised Code, the declarations 658  
of candidacy and petitions of partisan candidates and the 659  
nominating petitions of independent candidates for the office of 660  
clerk of the Akron municipal court shall be signed by at least 661  
fifty qualified electors of the territory of the court. 662

The candidates shall file a declaration of candidacy and 663  
petition, or a nominating petition, whichever is applicable, not 664  
later than four p.m. of the seventy-fifth day before the day of 665  
the primary election, in the form prescribed by section 3513.07 or 666  
3513.261 of the Revised Code. The declaration of candidacy and 667  
petition, or the nominating petition, shall conform to the 668  
applicable requirements of section 3513.05 or 3513.257 of the 669  
Revised Code. 670

If no valid declaration of candidacy and petition is filed by 671  
any person for nomination as a candidate of a particular political 672  
party for election to the office of clerk of the Akron municipal 673  
court, a primary election shall not be held for the purpose of 674  
nominating a candidate of that party for election to that office. 675  
If only one person files a valid declaration of candidacy and 676

petition for nomination as a candidate of a particular political 677  
party for election to that office, a primary election shall not be 678  
held for the purpose of nominating a candidate of that party for 679  
election to that office, and the candidate shall be issued a 680  
certificate of nomination in the manner set forth in section 681  
3513.02 of the Revised Code. 682

Declarations of candidacy and petitions, nominating 683  
petitions, and certificates of nomination for the office of clerk 684  
of the Akron municipal court shall contain a designation of the 685  
term for which the candidate seeks election. At the following 686  
regular municipal election, all candidates for the office shall be 687  
submitted to the qualified electors of the territory of the court 688  
in the manner that is provided in section 1901.07 of the Revised 689  
Code for the election of the judges of the court. The clerk so 690  
elected shall hold office for a term of six years, which term 691  
shall commence on the first day of January following the clerk's 692  
election and continue until the clerk's successor is elected and 693  
qualified. 694

(e) Except as otherwise provided in division (A)(1)(e) of 695  
this section, in the Barberton municipal court, candidates for 696  
election to the office of clerk of the court shall be nominated by 697  
primary election. The primary election shall be held on the day 698  
specified in the charter of the city of Barberton for the 699  
nomination of municipal officers. Notwithstanding any contrary 700  
provision of section 3513.05 or 3513.257 of the Revised Code, the 701  
declarations of candidacy and petitions of partisan candidates and 702  
the nominating petitions of independent candidates for the office 703  
of clerk of the Barberton municipal court shall be signed by at 704  
least fifty qualified electors of the territory of the court. 705

The candidates shall file a declaration of candidacy and 706  
petition, or a nominating petition, whichever is applicable, not 707  
later than four p.m. of the seventy-fifth day before the day of 708

the primary election, in the form prescribed by section 3513.07 or 709  
3513.261 of the Revised Code. The declaration of candidacy and 710  
petition, or the nominating petition, shall conform to the 711  
applicable requirements of section 3513.05 or 3513.257 of the 712  
Revised Code. 713

If no valid declaration of candidacy and petition is filed by 714  
any person for nomination as a candidate of a particular political 715  
party for election to the office of clerk of the Barberton 716  
municipal court, a primary election shall not be held for the 717  
purpose of nominating a candidate of that party for election to 718  
that office. If only one person files a valid declaration of 719  
candidacy and petition for nomination as a candidate of a 720  
particular political party for election to that office, a primary 721  
election shall not be held for the purpose of nominating a 722  
candidate of that party for election to that office, and the 723  
candidate shall be issued a certificate of nomination in the 724  
manner set forth in section 3513.02 of the Revised Code. 725

Declarations of candidacy and petitions, nominating 726  
petitions, and certificates of nomination for the office of clerk 727  
of the Barberton municipal court shall contain a designation of 728  
the term for which the candidate seeks election. At the following 729  
regular municipal election, all candidates for the office shall be 730  
submitted to the qualified electors of the territory of the court 731  
in the manner that is provided in section 1901.07 of the Revised 732  
Code for the election of the judges of the court. The clerk so 733  
elected shall hold office for a term of six years, which term 734  
shall commence on the first day of January following the clerk's 735  
election and continue until the clerk's successor is elected and 736  
qualified. 737

(f)(i) Through December 31, 2008, except as otherwise 738  
provided in division (A)(1)(f)(i) of this section, in the Cuyahoga 739  
Falls municipal court, candidates for election to the office of 740

clerk of the court shall be nominated by primary election. The 741  
primary election shall be held on the day specified in the charter 742  
of the city of Cuyahoga Falls for the nomination of municipal 743  
officers. Notwithstanding any contrary provision of section 744  
3513.05 or 3513.257 of the Revised Code, the declarations of 745  
candidacy and petitions of partisan candidates and the nominating 746  
petitions of independent candidates for the office of clerk of the 747  
Cuyahoga Falls municipal court shall be signed by at least fifty 748  
qualified electors of the territory of the court. 749

The candidates shall file a declaration of candidacy and 750  
petition, or a nominating petition, whichever is applicable, not 751  
later than four p.m. of the seventy-fifth day before the day of 752  
the primary election, in the form prescribed by section 3513.07 or 753  
3513.261 of the Revised Code. The declaration of candidacy and 754  
petition, or the nominating petition, shall conform to the 755  
applicable requirements of section 3513.05 or 3513.257 of the 756  
Revised Code. 757

If no valid declaration of candidacy and petition is filed by 758  
any person for nomination as a candidate of a particular political 759  
party for election to the office of clerk of the Cuyahoga Falls 760  
municipal court, a primary election shall not be held for the 761  
purpose of nominating a candidate of that party for election to 762  
that office. If only one person files a valid declaration of 763  
candidacy and petition for nomination as a candidate of a 764  
particular political party for election to that office, a primary 765  
election shall not be held for the purpose of nominating a 766  
candidate of that party for election to that office, and the 767  
candidate shall be issued a certificate of nomination in the 768  
manner set forth in section 3513.02 of the Revised Code. 769

Declarations of candidacy and petitions, nominating 770  
petitions, and certificates of nomination for the office of clerk 771  
of the Cuyahoga Falls municipal court shall contain a designation 772

of the term for which the candidate seeks election. At the 773  
following regular municipal election, all candidates for the 774  
office shall be submitted to the qualified electors of the 775  
territory of the court in the manner that is provided in section 776  
1901.07 of the Revised Code for the election of the judges of the 777  
court. The clerk so elected shall hold office for a term of six 778  
years, which term shall commence on the first day of January 779  
following the clerk's election and continue until the clerk's 780  
successor is elected and qualified. 781

(ii) Division (A)(1)(f)(i) of this section shall have no 782  
effect after December 31, 2008. 783

(g) Except as otherwise provided in division (A)(1)(g) of 784  
this section, in the Toledo municipal court, candidates for 785  
election to the office of clerk of the court shall be nominated by 786  
primary election. The primary election shall be held on the day 787  
specified in the charter of the city of Toledo for the nomination 788  
of municipal officers. Notwithstanding any contrary provision of 789  
section 3513.05 or 3513.257 of the Revised Code, the declarations 790  
of candidacy and petitions of partisan candidates and the 791  
nominating petitions of independent candidates for the office of 792  
clerk of the Toledo municipal court shall be signed by at least 793  
fifty qualified electors of the territory of the court. 794

The candidates shall file a declaration of candidacy and 795  
petition, or a nominating petition, whichever is applicable, not 796  
later than four p.m. of the seventy-fifth day before the day of 797  
the primary election, in the form prescribed by section 3513.07 or 798  
3513.261 of the Revised Code. The declaration of candidacy and 799  
petition, or the nominating petition, shall conform to the 800  
applicable requirements of section 3513.05 or 3513.257 of the 801  
Revised Code. 802

If no valid declaration of candidacy and petition is filed by 803  
any person for nomination as a candidate of a particular political 804

party for election to the office of clerk of the Toledo municipal 805  
court, a primary election shall not be held for the purpose of 806  
nominating a candidate of that party for election to that office. 807  
If only one person files a valid declaration of candidacy and 808  
petition for nomination as a candidate of a particular political 809  
party for election to that office, a primary election shall not be 810  
held for the purpose of nominating a candidate of that party for 811  
election to that office, and the candidate shall be issued a 812  
certificate of nomination in the manner set forth in section 813  
3513.02 of the Revised Code. 814

Declarations of candidacy and petitions, nominating 815  
petitions, and certificates of nomination for the office of clerk 816  
of the Toledo municipal court shall contain a designation of the 817  
term for which the candidate seeks election. At the following 818  
regular municipal election, all candidates for the office shall be 819  
submitted to the qualified electors of the territory of the court 820  
in the manner that is provided in section 1901.07 of the Revised 821  
Code for the election of the judges of the court. The clerk so 822  
elected shall hold office for a term of six years, which term 823  
shall commence on the first day of January following the clerk's 824  
election and continue until the clerk's successor is elected and 825  
qualified. 826

(2)(a) Except for the Alliance, Auglaize county, Brown 827  
county, Columbiana county, Holmes county, Lorain, Massillon, and 828  
Youngstown municipal courts, in a municipal court for which the 829  
population of the territory is less than one hundred thousand, the 830  
clerk shall be appointed by the court, and the clerk shall hold 831  
office until the clerk's successor is appointed and qualified. 832

(b) In the Alliance, Lorain, Massillon, and Youngstown 833  
municipal courts, the clerk shall be elected for a term of office 834  
as described in division (A)(1)(a) of this section. 835

(c) In the Auglaize county, Brown county, and Holmes county 836

municipal courts, the clerks of courts of Auglaize county, Brown 837  
county, and Holmes county shall be the clerks, respectively, of 838  
the Auglaize county, Brown county, and Holmes county municipal 839  
courts and may appoint a chief deputy clerk for each branch office 840  
that is established pursuant to section 1901.311 of the Revised 841  
Code, and assistant clerks as the judge of the court determines 842  
are necessary, all of whom shall receive the compensation that the 843  
legislative authority prescribes. The clerks of courts of Auglaize 844  
county, Brown county, and Holmes county, acting as the clerks of 845  
the Auglaize county, Brown county, and Holmes county municipal 846  
courts and assuming the duties of these offices, shall receive 847  
compensation payable from the county treasury in semimonthly 848  
installments at one-fourth the rate that is prescribed for the 849  
clerks of courts of common pleas as determined in accordance with 850  
the population of the county and the rates set forth in sections 851  
325.08 and 325.18 of the Revised Code. 852

(d) In the Columbiana county municipal court, the clerk of 853  
courts of Columbiana county shall be the clerk of the municipal 854  
court, may appoint a chief deputy clerk for each branch office 855  
that is established pursuant to section 1901.311 of the Revised 856  
Code, and may appoint any assistant clerks that the judges of the 857  
court determine are necessary. All of the chief deputy clerks and 858  
assistant clerks shall receive the compensation that the 859  
legislative authority prescribes. The clerk of courts of 860  
Columbiana county, acting as the clerk of the Columbiana county 861  
municipal court and assuming the duties of that office, shall 862  
receive in either biweekly installments or semimonthly 863  
installments, as determined by the payroll administrator, 864  
compensation payable from the county treasury at one-fourth the 865  
rate that is prescribed for the clerks of courts of common pleas 866  
as determined in accordance with the population of the county and 867  
the rates set forth in sections 325.08 and 325.18 of the Revised 868  
Code. 869

(3) During the temporary absence of the clerk due to illness, 870  
vacation, or other proper cause, the court may appoint a temporary 871  
clerk, who shall be paid the same compensation, have the same 872  
authority, and perform the same duties as the clerk. 873

(B) Except in the Hamilton county, Portage county, and Wayne 874  
county municipal courts, if a vacancy occurs in the office of the 875  
clerk of the Alliance, Lorain, Massillon, or Youngstown municipal 876  
court or occurs in the office of the clerk of a municipal court 877  
for which the population of the territory equals or exceeds one 878  
hundred thousand because the clerk ceases to hold the office 879  
before the end of the clerk's term or because a clerk-elect fails 880  
to take office, the vacancy shall be filled, until a successor is 881  
elected and qualified, by a person chosen by the residents of the 882  
territory of the court who are members of the county central 883  
committee of the political party by which the last occupant of 884  
that office or the clerk-elect was nominated. Not less than five 885  
nor more than fifteen days after a vacancy occurs, those members 886  
of that county central committee shall meet to make an appointment 887  
to fill the vacancy. At least four days before the date of the 888  
meeting, the chairperson or a secretary of the county central 889  
committee shall notify each such member of that county central 890  
committee by first class mail of the date, time, and place of the 891  
meeting and its purpose. A majority of all such members of that 892  
county central committee constitutes a quorum, and a majority of 893  
the quorum is required to make the appointment. If the office so 894  
vacated was occupied or was to be occupied by a person not 895  
nominated at a primary election, or if the appointment was not 896  
made by the committee members in accordance with this division, 897  
the court shall make an appointment to fill the vacancy. A 898  
successor shall be elected to fill the office for the unexpired 899  
term at the first municipal election that is held more than one 900  
hundred twenty days after the vacancy occurred. 901

(C)(1) In a municipal court, other than the Auglaize county, 902  
the Brown county, the Columbiana county, the Holmes county, and 903  
the Lorain municipal courts, for which the population of the 904  
territory is less than one hundred thousand, the clerk of the 905  
municipal court shall receive the annual compensation that the 906  
presiding judge of the court prescribes, if the revenue of the 907  
court for the preceding calendar year, as certified by the auditor 908  
or chief fiscal officer of the municipal corporation in which the 909  
court is located or, in the case of a county-operated municipal 910  
court, the county auditor, is equal to or greater than the 911  
expenditures, including any debt charges, for the operation of the 912  
court payable under this chapter from the city treasury or, in the 913  
case of a county-operated municipal court, the county treasury for 914  
that calendar year, as also certified by the auditor or chief 915  
fiscal officer. If the revenue of a municipal court, other than 916  
the Auglaize county, the Brown county, the Columbiana county, and 917  
the Lorain municipal courts, for which the population of the 918  
territory is less than one hundred thousand for the preceding 919  
calendar year as so certified is not equal to or greater than 920  
those expenditures for the operation of the court for that 921  
calendar year as so certified, the clerk of a municipal court 922  
shall receive the annual compensation that the legislative 923  
authority prescribes. As used in this division, "revenue" means 924  
the total of all costs and fees that are collected and paid to the 925  
city treasury or, in a county-operated municipal court, the county 926  
treasury by the clerk of the municipal court under division (F) of 927  
this section and all interest received and paid to the city 928  
treasury or, in a county-operated municipal court, the county 929  
treasury in relation to the costs and fees under division (G) of 930  
this section. 931

(2) In a municipal court, other than the Hamilton county, 932  
Portage county, and Wayne county municipal courts, for which the 933  
population of the territory is one hundred thousand or more, and 934

in the Lorain municipal court, the clerk of the municipal court 935  
shall receive annual compensation in a sum equal to eighty-five 936  
per cent of the salary of a judge of the court. 937

(3) The compensation of a clerk described in division (C)(1) 938  
or (2) of this section is payable in semimonthly installments from 939  
the same sources and in the same manner as provided in section 940  
1901.11 of the Revised Code, except that the compensation of the 941  
clerk of the Carroll county municipal court is payable in biweekly 942  
installments. 943

(D) Before entering upon the duties of the clerk's office, 944  
the clerk of a municipal court shall give bond of not less than 945  
six thousand dollars to be determined by the judges of the court, 946  
conditioned upon the faithful performance of the clerk's duties. 947

(E) The clerk of a municipal court may do all of the 948  
following: administer oaths, take affidavits, and issue executions 949  
upon any judgment rendered in the court, including a judgment for 950  
unpaid costs; issue, sign, and attach the seal of the court to all 951  
writs, process, subpoenas, and papers issuing out of the court; 952  
and approve all bonds, sureties, recognizances, and undertakings 953  
fixed by any judge of the court or by law. The clerk may refuse to 954  
accept for filing any pleading or paper submitted for filing by a 955  
person who has been found to be a vexatious litigator under 956  
section 2323.52 of the Revised Code and who has failed to obtain 957  
leave to proceed under that section. The clerk shall do all of the 958  
following: file and safely keep all journals, records, books, and 959  
papers belonging or appertaining to the court; record the 960  
proceedings of the court; perform all other duties that the judges 961  
of the court may prescribe; and keep a book showing all receipts 962  
and disbursements, which book shall be open for public inspection 963  
at all times. 964

The clerk shall prepare and maintain a general index, a 965  
docket, and other records that the court, by rule, requires, all 966

of which shall be the public records of the court. In the docket, 967  
the clerk shall enter, at the time of the commencement of an 968  
action, the names of the parties in full, the names of the 969  
counsel, and the nature of the proceedings. Under proper dates, 970  
the clerk shall note the filing of the complaint, issuing of 971  
summons or other process, returns, and any subsequent pleadings. 972  
The clerk also shall enter all reports, verdicts, orders, 973  
judgments, and proceedings of the court, clearly specifying the 974  
relief granted or orders made in each action. The court may order 975  
an extended record of any of the above to be made and entered, 976  
under the proper action heading, upon the docket at the request of 977  
any party to the case, the expense of which record may be taxed as 978  
costs in the case or may be required to be prepaid by the party 979  
demanding the record, upon order of the court. 980

(F) The (1) Except as provided otherwise in division (F)(2) 981  
of this section, the clerk of a municipal court shall receive, 982  
collect, and issue receipts for all costs, fees, fines, bail, and 983  
other moneys payable to the office or to any officer of the court 984  
in accordance with division (F)(1) of this section. The clerk 985  
shall each month disburse to the proper persons or officers, and 986  
take receipts for, all costs, fees, fines, bail, and other moneys 987  
that the clerk collects. Subject to sections 3375.50 and 4511.193 988  
of the Revised Code and to any other section of the Revised Code 989  
that requires a specific manner of disbursement of any moneys 990  
received by a municipal court and except for the Hamilton county, 991  
Lawrence county, and Ottawa county municipal courts, the clerk 992  
shall pay all fines received for violation of municipal ordinances 993  
into the treasury of the municipal corporation the ordinance of 994  
which was violated and shall pay all fines received for violation 995  
of township resolutions adopted pursuant to section 503.52 or 996  
503.53 or Chapter 504. of the Revised Code into the treasury of 997  
the township the resolution of which was violated. Subject to 998  
sections 1901.024 and 4511.193 of the Revised Code, in the 999

Hamilton county, Lawrence county, and Ottawa county municipal 1000  
courts, the clerk shall pay fifty per cent of the fines received 1001  
for violation of municipal ordinances and fifty per cent of the 1002  
fines received for violation of township resolutions adopted 1003  
pursuant to section 503.52 or 503.53 or Chapter 504. of the 1004  
Revised Code into the treasury of the county. Subject to sections 1005  
3375.50, 3375.53, 4511.19, and 5503.04 of the Revised Code and to 1006  
any other section of the Revised Code that requires a specific 1007  
manner of disbursement of any moneys received by a municipal 1008  
court, the clerk shall pay all fines collected for the violation 1009  
of state laws into the county treasury. Except in a 1010  
county-operated municipal court, the clerk shall pay all costs and 1011  
fees the disbursement of which is not otherwise provided for in 1012  
the Revised Code into the city treasury. The clerk of a 1013  
county-operated municipal court shall pay the costs and fees the 1014  
disbursement of which is not otherwise provided for in the Revised 1015  
Code into the county treasury. Moneys deposited as security for 1016  
costs shall be retained pending the litigation. The clerk shall 1017  
keep a separate account of all receipts and disbursements in civil 1018  
and criminal cases, which shall be a permanent public record of 1019  
the office. On the expiration of the term of the clerk, the clerk 1020  
shall deliver the records to the clerk's successor. The clerk 1021  
shall have other powers and duties as are prescribed by rule or 1022  
order of the court. 1023

(2)(a) The clerk of a municipal court shall pay to the 1024  
treasurer of a municipal corporation one-half of all costs, fees, 1025  
and fines collected as a result of summonses issued by law 1026  
enforcement officers of the municipal corporation in cases that 1027  
before January 1, 2008, would have been heard in the mayor's court 1028  
of the municipal corporation and that would have been payable to 1029  
the municipal treasury if either of the following applies: 1030

(i) The mayor's court was abolished, the cases in that 1031

mayor's court were transferred to the municipal court under 1032  
division (B) of section 1905.42 of the Revised Code, and the 1033  
municipal corporation had its own police force at the time of 1034  
abolition of the mayor's court. 1035

(ii) The legislative authority of the municipal corporation 1036  
elected to transfer its cases to the municipal court under 1037  
division (C)(1)(b) of section 1905.42 of the Revised Code. 1038

(b) The clerk shall disburse one-half of such costs, fees, 1039  
and fines in accordance with division (F)(1) of this section. 1040

(G) All moneys paid into a municipal court shall be noted on 1041  
the record of the case in which they are paid and shall be 1042  
deposited in a state or national bank, or a domestic savings and 1043  
loan association, as defined in section 1151.01 of the Revised 1044  
Code, that is selected by the clerk. Any interest received upon 1045  
the deposits shall be paid into the city treasury, except that, in 1046  
a county-operated municipal court, the interest shall be paid into 1047  
the treasury of the county in which the court is located. 1048

On the first Monday in January of each year, the clerk shall 1049  
make a list of the titles of all cases in the court that were 1050  
finally determined more than one year past in which there remains 1051  
unclaimed in the possession of the clerk any funds, or any part of 1052  
a deposit for security of costs not consumed by the costs in the 1053  
case. The clerk shall give notice of the moneys to the parties who 1054  
are entitled to the moneys or to their attorneys of record. All 1055  
the moneys remaining unclaimed on the first day of April of each 1056  
year shall be paid by the clerk to the city treasurer, except 1057  
that, in a county-operated municipal court, the moneys shall be 1058  
paid to the treasurer of the county in which the court is located. 1059  
The treasurer shall pay any part of the moneys at any time to the 1060  
person who has the right to the moneys upon proper certification 1061  
of the clerk. 1062

(H) Deputy clerks of a municipal court other than the Carroll county municipal court may be appointed by the clerk and shall receive the compensation, payable in either biweekly installments or semimonthly installments, as determined by the payroll administrator, out of the city treasury, that the clerk may prescribe, except that the compensation of any deputy clerk of a county-operated municipal court shall be paid out of the treasury of the county in which the court is located. The judge of the Carroll county municipal court may appoint deputy clerks for the court, and the deputy clerks shall receive the compensation, payable in biweekly installments out of the county treasury, that the judge may prescribe. Each deputy clerk shall take an oath of office before entering upon the duties of the deputy clerk's office and, when so qualified, may perform the duties appertaining to the office of the clerk. The clerk may require any of the deputy clerks to give bond of not less than three thousand dollars, conditioned for the faithful performance of the deputy clerk's duties.

(I) For the purposes of this section, whenever the population of the territory of a municipal court falls below one hundred thousand but not below ninety thousand, and the population of the territory prior to the most recent regular federal census exceeded one hundred thousand, the legislative authority of the municipal corporation may declare, by resolution, that the territory shall be considered to have a population of at least one hundred thousand.

(J) The clerk or a deputy clerk shall be in attendance at all sessions of the municipal court, although not necessarily in the courtroom, and may administer oaths to witnesses and jurors and receive verdicts.

**Sec. 1905.41.** (A) There is hereby created on January 1, 2008,

a community court in each municipal corporation that on the 1094  
effective date of this section has a legally functioning mayor's 1095  
court, according to the most recent federal decennial census has a 1096  
population of one thousand six hundred or more, and elects 1097  
pursuant to division (C) of section 1905.42 of the Revised Code to 1098  
have a community court. 1099

(B) A community court is a court of record and is subject to 1100  
superintendence by the supreme court and rules prescribed by the 1101  
supreme court under Section 5 of Article IV of the Ohio 1102  
Constitution. 1103

(C) The judge of the municipal court or county court that has 1104  
territorial jurisdiction over the municipal corporation in which a 1105  
community court is located, or the administrative judge of the 1106  
court if the court has more than one judge, shall appoint a 1107  
magistrate to preside over the community court. If the municipal 1108  
corporation lies within the territorial jurisdiction of more than 1109  
one municipal or county court, the judge or administrative judge 1110  
of the court that has within its territory the largest number of 1111  
residents of the municipal corporation shall appoint the 1112  
magistrate. No person shall be appointed as a community court 1113  
magistrate unless the person has been admitted to the practice of 1114  
law in this state and, for a total of at least three years 1115  
preceding the person's appointment or the commencement of the 1116  
person's service as magistrate, has been engaged in the practice 1117  
of law in this state or served as a judge of a court of record in 1118  
any jurisdiction in the United States, or both. The magistrate of 1119  
a community court shall serve at the pleasure of the appointing 1120  
judge or that judge's successor. In the case of a municipal 1121  
corporation that lies within the territorial jurisdiction of more 1122  
than one municipal or county court, if a decennial census shows 1123  
that the largest number of residents of the municipal corporation 1124  
no longer reside in the territory of the appointing judge's court, 1125

the magistrate shall serve at the pleasure of the judge or 1126  
administrative judge of the court that according to the census has 1127  
within its territory the largest number of residents of the 1128  
municipal corporation or that judge's successor. 1129

(D) The legislative authority of a municipal corporation that 1130  
has a community court, with the concurrence of the magistrate of 1131  
that court, may appoint a clerk of the community court. The clerk 1132  
shall serve at the pleasure of the legislative authority and shall 1133  
receive compensation as set by the legislative authority. The 1134  
compensation shall be payable in semimonthly installments from the 1135  
treasury of the municipal corporation. Before entering upon the 1136  
duties of the office, an appointed clerk shall give bond of not 1137  
less than five thousand dollars, as determined by the legislative 1138  
authority of the municipal corporation, conditioned upon the 1139  
faithful performance of the clerk's duties. The clerk shall have 1140  
the same powers and duties as a clerk of a county court. 1141

**Sec. 1905.42.** (A) All mayor's courts shall cease to exist at 1142  
the end of the day on December 31, 2007. 1143

(B) All proceedings pending in the mayor's court of a 1144  
municipal corporation that on December 31, 2007, had a population 1145  
of less than one thousand six hundred according to the most recent 1146  
federal decennial census shall be transferred to the municipal 1147  
court or the county court that has territorial jurisdiction over 1148  
that municipal corporation. 1149

(C)(1) Within ninety days after the effective date of this 1150  
section, the legislative authority of a municipal corporation that 1151  
had a legally functioning mayor's court on that effective date and 1152  
according to the most recent federal decennial census has a 1153  
population of one thousand six hundred or more shall elect to do 1154  
one of the following: 1155

(a) To have a community court; 1156

(b) To not have a community court and to have all proceedings pending in the mayor's court transferred to the municipal court or county court that has territorial jurisdiction over the municipal corporation. 1157  
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(2) A legislative authority shall make an election under division (C)(1) of this section by resolution adopted and filed with the supreme court not later than ninety days after the effective date of this section. If a legislative authority of a municipal corporation fails to make a timely election under division (C) of this section, the municipal corporation shall not have a community court, and all proceedings pending on December 31, 2007, in the mayor's court of that municipal corporation shall be transferred to the municipal court or county court that has territorial jurisdiction over the municipal corporation. 1161  
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(D) At any time after January 1, 2008, the legislative authority of a municipal corporation that does not have a community court and that has a population of one thousand six hundred or more according to the most recent federal decennial census may adopt a resolution electing to establish a community court and file the resolution with the supreme court. Upon the filing of the resolution with the supreme court, the community court is established and shall hear and determine cases within its jurisdiction that arise on and after the establishment of the court. 1171  
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(E)(1) Except as provided in division (E)(2) of this section, if the population of a municipal corporation served by a community court falls below one thousand six hundred according to the most recent federal decennial census, the community court shall cease to exist sixty days after the official release of the census, and all causes, executions, and other proceedings then pending in the community court shall be transferred to the municipal court or county court that has territorial jurisdiction over the municipal 1181  
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corporation. The causes, executions, and other proceedings shall 1189  
proceed as if originally instituted in the transferee court. 1190  
Parties to those causes, executions, and proceedings may make any 1191  
amendments to their pleadings that are required to conform them to 1192  
the rules of the transferee court. The clerk or other custodian of 1193  
the records of the community court shall transfer to the 1194  
transferee court all pleadings, orders, entries, dockets, bonds, 1195  
papers, records, books, exhibits, files, moneys, property, and 1196  
persons that belong to, are in the possession of, or are subject 1197  
to the jurisdiction of the community court, or any officer of that 1198  
court, at the close of business on the sixtieth day after the 1199  
release of the census and that pertain to those causes, 1200  
executions, and proceedings. 1201

(2) If the population of a municipal corporation served by a 1202  
community court falls below one thousand six hundred according to 1203  
the most recent federal decennial census, the legislative 1204  
authority of the municipal corporation may by resolution adopted 1205  
and filed with the supreme court not later than thirty days after 1206  
the official release of the census request that the supreme court 1207  
authorize the continued existence of the community court until the 1208  
next federal decennial census. The supreme court, after 1209  
considering the population of the municipal corporation, the 1210  
caseload of the community court, and any other factors that it 1211  
considers relevant, shall determine whether the community court 1212  
should continue to exist and shall serve written notice of its 1213  
determination on the legislative authority of the municipal 1214  
corporation. If the supreme court determines that the community 1215  
court should not continue to exist, the community court shall 1216  
cease to exist sixty days after service of the supreme court's 1217  
determination, and all causes, executions, and other proceedings 1218  
then pending in the community court shall be transferred to the 1219  
appropriate municipal court or county court in the manner provided 1220  
in division (E)(1) of this section. 1221

(F) Nothing in this section shall preclude a municipal corporation from seeking the establishment pursuant to statute of a municipal court for the municipal corporation. 1222  
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**Sec. 1905.43.** (A) Except as provided in divisions (B), (C), and (E) of this section, a community court has jurisdiction to hear and determine any prosecution for the violation of an ordinance of the municipal corporation, to hear and determine any case involving a violation of a vehicle parking or standing ordinance of the municipal corporation unless the violation is required to be handled by a parking violations bureau or joint parking violations bureau pursuant to Chapter 4521. of the Revised Code, and to hear and determine all criminal causes involving any moving traffic violation occurring on a state highway located within the boundaries of the municipal corporation. 1225  
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(B)(1) A community court has jurisdiction to hear and determine prosecutions involving a violation of an ordinance of the municipal corporation relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or a combination of them or relating to operating a vehicle with a prohibited concentration of alcohol, a controlled substance, or a metabolite of a controlled substance in the whole blood, blood serum or plasma, breath, or urine and to hear and determine criminal causes involving a violation of section 4511.19 of the Revised Code that occur on a state highway located within the boundaries of the municipal corporation only if the person charged with the violation, within six years of the date of the violation charged, has not been convicted of or pleaded guilty to any of the following: 1236  
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(a) A violation of an ordinance of any municipal corporation relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or a combination of them or relating to 1250  
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operating a vehicle with a prohibited concentration of alcohol, a 1253  
controlled substance, or a metabolite of a controlled substance in 1254  
the whole blood, blood serum or plasma, breath, or urine; 1255

(b) A violation of section 4511.19 of the Revised Code; 1256

(c) A violation of any ordinance of any municipal 1257  
corporation or of any section of the Revised Code that regulates 1258  
the operation of vehicles, streetcars, and trackless trolleys upon 1259  
the highways or streets in a case to which all of the following 1260  
apply: 1261

(i) In the case in which the conviction was obtained or the 1262  
plea of guilty was entered, the person had been charged with a 1263  
violation of an ordinance of a type described in division 1264  
(B)(1)(a) of this section or with a violation of section 4511.19 1265  
of the Revised Code. 1266

(ii) The charge of the violation described in division 1267  
(B)(1)(c)(i) of this section was dismissed or reduced. 1268

(iii) The violation of which the person was convicted or to 1269  
which the person pleaded guilty arose out of the same facts and 1270  
circumstances and the same act as did the charge that was 1271  
dismissed or reduced. 1272

(d) A violation of a statute of the United States or of any 1273  
other state or a municipal ordinance of a municipal corporation 1274  
located in any other state that is substantially similar to 1275  
section 4511.19 of the Revised Code. 1276

(2) A community court does not have jurisdiction to hear and 1277  
determine any prosecution or criminal cause involving a violation 1278  
described in division (B)(1)(a) or (b) of this section, regardless 1279  
of where the violation occurred, if the person charged with the 1280  
violation, within six years of the violation charged, has been 1281  
convicted of or pleaded guilty to any violation listed in division 1282  
(B)(1)(a), (b), (c), or (d) of this section. 1283

If the magistrate of a community court determines in hearing a prosecution involving a violation of an ordinance of the municipal corporation the magistrate serves relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or a combination of them or relating to operating a vehicle with a prohibited concentration of alcohol, a controlled substance, or a metabolite of a controlled substance in the whole blood, blood serum or plasma, breath, or urine or in hearing a criminal cause involving a violation of section 4511.19 of the Revised Code that the person charged, within six years of the violation charged, has been convicted of or pleaded guilty to any violation listed in division (B)(1)(a), (b), (c), or (d) of this section, the magistrate immediately shall transfer the case in accordance with section 1905.45 of the Revised Code to the county court or municipal court with jurisdiction over the violation charged.

(C)(1) A community court has jurisdiction to hear and determine prosecutions involving a violation of a municipal ordinance that is substantially equivalent to division (A) of section 4510.14 or section 4510.16 of the Revised Code and to hear and determine criminal causes that involve a moving traffic violation that involve a violation of division (A) of section 4510.14 or section 4510.16 of the Revised Code and that occur on a state highway located within the boundaries of the municipal corporation only if all of the following apply regarding the violation and the person charged:

(a) Regarding a violation of section 4510.16 of the Revised Code or a violation of a municipal ordinance that is substantially equivalent to that division, the person charged with the violation, within six years of the date of the violation charged, has not been convicted of or pleaded guilty to any of the following:

(i) A violation of section 4510.16 of the Revised Code;

(ii) A violation of a municipal ordinance that is 1316  
substantially equivalent to section 4510.16 of the Revised Code; 1317

(iii) A violation of any municipal ordinance or section of 1318  
the Revised Code that regulates the operation of vehicles, 1319  
streetcars, and trackless trolleys upon the highways or streets in 1320  
a case in which, after a charge against the person of a violation 1321  
of a type described in division (C)(1)(a)(i) or (ii) of this 1322  
section was dismissed or reduced, the person is convicted of or 1323  
pleads guilty to a violation that arose out of the same facts and 1324  
circumstances and the same act as did the charge that was 1325  
dismissed or reduced. 1326

(b) Regarding a violation of division (A) of section 4510.14 1327  
of the Revised Code or a violation of a municipal ordinance that 1328  
is substantially equivalent to that division, the person charged 1329  
with the violation, within six years of the date of the violation 1330  
charged, has not been convicted of or pleaded guilty to any of the 1331  
following: 1332

(i) A violation of division (A) of section 4510.14 of the 1333  
Revised Code; 1334

(ii) A violation of a municipal ordinance that is 1335  
substantially equivalent to division (A) of section 4510.14 of the 1336  
Revised Code; 1337

(iii) A violation of any municipal ordinance or section of 1338  
the Revised Code that regulates the operation of vehicles, 1339  
streetcars, and trackless trolleys upon the highways or streets in 1340  
a case in which, after a charge against the person of a violation 1341  
of a type described in division (C)(1)(b)(i) or (ii) of this 1342  
section was dismissed or reduced, the person is convicted of or 1343  
pleads guilty to a violation that arose out of the same facts and 1344  
circumstances and the same act as did the charge that was 1345  
dismissed or reduced. 1346

(2) A community court does not have jurisdiction to hear and determine any prosecution or criminal cause involving a violation described in division (C)(1)(a)(i) or (ii) of this section if the person charged with the violation, within six years of the violation charged, has been convicted of or pleaded guilty to any violation listed in division (C)(1)(a)(i), (ii), or (iii) of this section and does not have jurisdiction to hear and determine any prosecution or criminal cause involving a violation described in division (C)(1)(b)(i) or (ii) of this section if the person charged with the violation, within six years of the violation charged, has been convicted of or pleaded guilty to any violation listed in division (C)(1)(b)(i), (ii), or (iii) of this section.

(3) If the magistrate of a community court hears a prosecution involving a violation of an ordinance of the municipal corporation the magistrate serves that is substantially equivalent to division (A) of section 4510.14 or section 4510.16 of the Revised Code or a violation of division (A) of section 4510.14 or section 4510.16 of the Revised Code and determines that under division (C)(2) of this section community courts do not have jurisdiction of the prosecution, the magistrate immediately shall transfer the case in accordance with section 1905.45 of the Revised Code to the county court or municipal court with jurisdiction over the violation.

(D)(1) A community court does not have jurisdiction to hear and determine any prosecution or criminal use involving any of the following:

(a) A violation of section 2919.25 or 2919.27 of the Revised Code;

(b) A violation of section 2903.11, 2903.12, 2903.13, 2903.211, or 2911.211 of the Revised Code that involves a person who was a family or household member of the defendant at the time of the violation;

(c) A violation of a municipal ordinance that is 1379  
substantially equivalent to an offense described in division 1380  
(E)(1)(a) or (b) of this section and that involves a person who 1381  
was a family or household member of the defendant at the time of 1382  
the violation. 1383

(2) A community court does not have jurisdiction to hear and 1384  
determine a motion filed pursuant to section 2919.26 of the 1385  
Revised Code or filed pursuant to a municipal ordinance that is 1386  
substantially equivalent to that section or to issue a protection 1387  
order pursuant to that section or a substantially equivalent 1388  
municipal ordinance. 1389

(3) As used in this section, "family or household member" 1390  
has the same meaning as in section 2919.25 of the Revised Code. 1391

(E) In keeping a docket and files, a community court shall 1392  
be governed by the laws pertaining to municipal courts. 1393

**Sec. 1905.44.** The provisions of Chapter 1907. of the Revised 1394  
Code, insofar as they are relevant, apply in proceedings in a 1395  
community court if the municipal corporation in which the 1396  
community court is located is within the jurisdiction of a county 1397  
court. 1398

**Sec. 1905.45.** (A)(1) If a person who is charged with a 1399  
violation of a law or an ordinance is brought before a community 1400  
court and the violation charged is not within the jurisdiction of 1401  
the court as set forth in section 1905.43 of the Revised Code, the 1402  
court promptly shall transfer the case to the municipal court, 1403  
county court, or court of common pleas with jurisdiction over the 1404  
alleged violation and shall require the person to enter into a 1405  
recognizance to appear before that court. 1406

(2) If a person who is charged with a violation of a law or 1407  
an ordinance is brought before a community court and the violation 1408

charged is within the jurisdiction of the court as set forth in 1409  
section 1905.43 of the Revised Code, the court, at any time prior 1410  
to the final disposition of the case, may transfer it to the 1411  
municipal court, county court, or court of common pleas with 1412  
concurrent jurisdiction over the alleged violation. If a community 1413  
court transfers a case under this division, the court shall 1414  
require the person charged to enter into a recognizance to appear 1415  
before the court to which the case is transferred. 1416

(B) Upon the transfer of a case by a community court under 1417  
division (A) of this section, all of the following apply: 1418

(1) The court shall certify all papers filed in the case, 1419  
together with a transcript of all proceedings, accrued costs to 1420  
date, and the recognizance given, to the court to which the case 1421  
is transferred. 1422

(2) All further proceedings under the charge, complaint, 1423  
information, or indictment in the transferred case shall be 1424  
discontinued in the community court and shall be conducted in the 1425  
court to which the case is transferred in accordance with the 1426  
provisions governing proceedings in that court. 1427

(3) If the case is transferred to a municipal court that has 1428  
an environmental division and the case is within the jurisdiction 1429  
of the environmental division as set forth in division (A)(1) of 1430  
section 1901.181 of the Revised Code, the case after the transfer 1431  
shall be within the exclusive jurisdiction of the environmental 1432  
division of the municipal court to which it is transferred. In all 1433  
other situations, the case after the transfer shall be within the 1434  
exclusive jurisdiction of the court to which it is transferred. 1435

**Sec. 1905.46.** A magistrate, clerk, or deputy clerk of a 1436  
community court shall not be concerned as counsel or agent in the 1437  
prosecution or defense of any case before the court. 1438

Sec. 1905.47. The chief of police of the city or village in 1439  
which a community court is located, or a police officer of that 1440  
city or village designated by the chief, or the marshal of the 1441  
village in which a community court is located shall attend the 1442  
sittings of the community court to execute the orders and process 1443  
of the court and to preserve order in it. The chief of police, 1444  
other police officer, or marshal shall execute and return all 1445  
writs and process directed to the chief, officer, or marshal by 1446  
the court. The jurisdiction of the chief of police, other police 1447  
officer, or marshal in the execution of the writs and process of 1448  
the court is coextensive with the county in criminal cases and in 1449  
cases of violations of ordinances of the municipal corporation. In 1450  
serving the writs and process of the court and taxing costs on 1451  
them, the chief of police, other police officer, or marshal shall 1452  
be governed by the laws pertaining to constables. The fees of the 1453  
court are the same as those allowed in the municipal court or 1454  
county court within whose jurisdiction the municipal corporation 1455  
is located. There shall be allowed and taxed for services of the 1456  
chief of police, other police officer, or marshal the same fees 1457  
and expense as those allowed constables. 1458

Sec. 1905.48. (A) When two municipal corporations adjoin each 1459  
other on opposite sides of the line of any railroad, the boundary 1460  
line between the municipal corporations, except where otherwise 1461  
established by law, is along the middle of the right of way of the 1462  
railroad. 1463

(B) When the line of a railroad adjoins or forms a part of 1464  
the boundary line of a municipal corporation and the middle of the 1465  
railroad right of way does not form the boundary line under 1466  
division (A) of this section, the municipal corporation has 1467  
jurisdiction over the entire width of the right of way of the line 1468  
of the railroad for the punishment of the violation of the 1469

ordinances of the municipal corporation. 1470

Sec. 1905.49. The magistrate of a community court shall award 1471  
and issue all writs and process that are necessary to enforce the 1472  
administration of justice throughout the municipal corporation. 1473  
The magistrate shall subscribe the magistrate's name and affix the 1474  
magistrate's official seal to all writs, process, transcripts, and 1475  
other official papers. 1476

Sec. 1905.50. The magistrate of a community court shall 1477  
suspend in accordance with sections 4510.02, 4510.07, and 4511.19 1478  
of the Revised Code the driver's or commercial driver's license or 1479  
permit or nonresident operating privilege of any person who is 1480  
convicted of or pleads guilty to a violation of division (A) of 1481  
section 4511.19 of the Revised Code, of a municipal ordinance 1482  
relating to operating a vehicle while under the influence of 1483  
alcohol, a drug of abuse, or a combination of them, or of a 1484  
municipal ordinance relating to operating a vehicle with a 1485  
prohibited concentration of alcohol, a controlled substance, or a 1486  
metabolite of a controlled substance in the whole blood, blood 1487  
serum or plasma, breath, or urine that is substantially equivalent 1488  
to division (A) of section 4511.19 of the Revised Code. The 1489  
magistrate of a community court shall suspend in accordance with 1490  
sections 4510.02, 4510.07, and 4511.19 of the Revised Code the 1491  
driver's or commercial driver's license or permit or nonresident 1492  
operating privilege of any person who is convicted of or pleads 1493  
guilty to a violation of division (B) of section 4511.19 of the 1494  
Revised Code or of a municipal ordinance relating to operating a 1495  
vehicle with a prohibited concentration of alcohol in the whole 1496  
blood, blood serum or plasma, breath, or urine that is 1497  
substantially equivalent to division (B) of section 4511.19 of the 1498  
Revised Code. 1499

Suspension of a commercial driver's license under this 1500

section shall be concurrent with any period of disqualification or 1501  
suspension under section 3123.58 or 4506.16 of the Revised Code. 1502  
No person who is disqualified for life from holding a commercial 1503  
driver's license under section 4506.16 of the Revised Code shall 1504  
be issued a driver's license under Chapter 4507. of the Revised 1505  
Code during the period for which the commercial driver's license 1506  
was suspended under this section, and no person whose commercial 1507  
driver's license is suspended under this section shall be issued a 1508  
driver's license under Chapter 4507. of the Revised Code during 1509  
the period of the suspension. 1510

Sec. 1905.51. The magistrate of a community court shall keep 1511  
a docket. The magistrate shall not retain or receive for the 1512  
magistrate's own use any of the fines, forfeitures, fees, or costs 1513  
the magistrate collects. The magistrate shall account for and 1514  
dispose of all fines, forfeitures, fees, and costs the magistrate 1515  
collects as provided in section 733.40 of the Revised Code. 1516

The magistrate of a community court shall be paid a fixed 1517  
annual salary that the legislative authority of the municipal 1518  
corporation provides under sections 731.08 and 731.13 of the 1519  
Revised Code. 1520

The magistrate of a community court shall keep an office that 1521  
is provided by the legislative authority of the municipal 1522  
corporation at a convenient place in the municipal corporation and 1523  
shall be furnished by the legislative authority with the corporate 1524  
seal of the municipal corporation. In the center of the seal shall 1525  
be the words, "Magistrate of the community court of the city of 1526  
.....," or "Magistrate of the community court of the 1527  
village of ....." 1528

Sec. 1905.52. (A) Any appeal from a community court shall be 1529  
taken to the court of appeals of the appellate district in which 1530

the community court is located. 1531

(B) Within ten days from the time a community court renders judgment, the appellant shall file with the community court a written notice of appeal designating the order or judgment appealed from and the court to which the appeal is taken. All further proceedings in the community court shall be stayed from the time of filing the notice of appeal. 1532  
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(C) Upon the filing of the notice of appeal, the clerk of the community court shall make a certified transcript of the proceedings and deliver the transcript together with the original papers used on the trial to the court to which the appeal is taken within fifteen days from the rendition of the judgment appealed from. Upon receipt of the transcript and papers, the clerk of the court of appeals shall file them and docket the appeal. 1538  
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Sec. 1905.53. A community court magistrate presiding at any trial under this chapter may punish contempts, compel the attendance of jurors and witnesses, and establish rules for the examination and trial of all cases brought in the community court in the same manner as judges of county courts. 1545  
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Sec. 1905.54. (A) When a fine is the whole or part of a sentence, a community court may order the person sentenced to remain confined in the county jail, workhouse, or prison of the municipal corporation until the fine is paid or secured to be paid or the offender is legally discharged if the offender is financially able to pay the fine and refuses to do so. 1550  
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(B) When a fine imposed for the violation of an ordinance of a municipal corporation is not paid, the party convicted may by order of the magistrate of the community court or other proper authority or on process issued for the purpose be committed until the fine and the costs of prosecution are paid or until the party 1556  
1557  
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convicted is legally discharged if the offender is financially 1561  
able to pay the fine and refuses to do so. 1562

Sec. 1905.55. Fines, penalties, and forfeitures may in all 1563  
cases and in addition to any other mode provided be recovered by 1564  
action before any magistrate of a county court or any other court 1565  
of competent jurisdiction in the name of the proper municipal 1566  
corporation and for its use. In any action in which a pleading is 1567  
necessary, it is sufficient if the petition sets forth generally 1568  
the amount claimed to be due in respect to the violation of the 1569  
ordinance of the municipal corporation. The petition shall refer 1570  
to the title of the ordinance, state the date of its adoption or 1571  
passage, and show as near as is practicable the true time of the 1572  
alleged violation. 1573

Sec. 1905.56. (A) Imprisonment under the ordinances of a 1574  
municipal corporation shall be in the workhouse or other jail of 1575  
the municipal corporation. Any municipal corporation not provided 1576  
with a workhouse or other jail may for the purpose of imprisonment 1577  
use the county jail at the expense of the municipal corporation 1578  
until the municipal corporation is provided with a prison, house 1579  
of correction, or workhouse. Persons so imprisoned in the county 1580  
jail are under the charge of the sheriff. The sheriff shall 1581  
receive and hold the persons in the manner prescribed by the 1582  
ordinances of the municipal corporation until the persons are 1583  
legally discharged. 1584

(B) The board of county commissioners, at the board's 1585  
discretion, on giving ninety days' written notice to the 1586  
legislative authority of any municipal corporation may prohibit 1587  
the use of the county jail for the purpose authorized in division 1588  
(A) of this section. If within ninety days after the notice is 1589  
given the legislative authority of the municipal corporation 1590  
provides by ordinance and the necessary contracts for the 1591

immediate erection of a prison, workhouse, or house of correction, 1592  
the municipal corporation, notwithstanding the notice and 1593  
prohibition, shall continue to have the use of the county jail for 1594  
the purpose of imprisonment until the prison, workhouse, or house 1595  
of correction is erected and ready for use. 1596

**Sec. 1905.57.** (A) If, by the attorney general's own inquiries 1597  
or as a result of complaints, the attorney general has reasonable 1598  
cause to believe that a mayor, municipal corporation, or other 1599  
person is operating a mayor's court or community court that is not 1600  
authorized by the Revised Code, the attorney general may bring an 1601  
action in the court of common pleas of the county in which the 1602  
mayor's court or community court is located to enjoin the 1603  
operation of the mayor's court or community court. 1604

(B) This section does not preclude any person from bringing a 1605  
civil or criminal action other than the one described in division 1606  
(A) of this section based on the allegedly unauthorized operation 1607  
of a mayor's court or community court. 1608

**Sec. 2335.06.** Each witness in civil cases shall receive the 1609  
following fees: 1610

(A) Twelve dollars for each full day's attendance and six 1611  
dollars for each half day's attendance at a court of record~~7~~ 1612  
~~mayor's court~~, or before a person authorized to take depositions, 1613  
to be taxed in the bill of costs. Each witness shall also receive 1614  
ten cents for each mile necessarily traveled to and from ~~his~~ the 1615  
witness's place of residence to the place of giving ~~his~~ testimony, 1616  
to be taxed in the bill of costs. 1617

(B) For attending a coroner's inquest, the same fees and 1618  
mileage provided by division (A) of this section, payable from the 1619  
county treasury on the certificate of the coroner. 1620

(C) As used in this section, "full day's attendance" means a 1621

day on which a witness is required or requested to be present at 1622  
proceedings before and after twelve noon regardless of whether ~~he~~ 1623  
the witness actually testifies; "half day's attendance" means a 1624  
day on which a witness is required or requested to be present at 1625  
proceedings either before or after twelve noon, but not both, 1626  
regardless of whether ~~he~~ the witness actually testifies. 1627

**Sec. 2903.212.** (A) Except when the complaint involves a 1628  
person who is a family or household member as defined in section 1629  
2919.25 of the Revised Code, if a person is charged with a 1630  
violation of section 2903.21, 2903.211, 2903.22, or 2911.211 of 1631  
the Revised Code, a violation of a municipal ordinance that is 1632  
substantially similar to one of those sections, or a sexually 1633  
oriented offense and if the person, at the time of the alleged 1634  
violation, was subject to the terms of any order issued pursuant 1635  
to section 2903.213, ~~2933.08~~, or 2945.04 of the Revised Code or 1636  
previously had been convicted of or pleaded guilty to a violation 1637  
of section 2903.21, 2903.211, 2903.22, or 2911.211 of the Revised 1638  
Code that involves the same complainant, a violation of a 1639  
municipal ordinance that is substantially similar to one of those 1640  
sections and that involves the same complainant, or a sexually 1641  
oriented offense that involves the same complainant, the court 1642  
shall consider all of the following, in addition to any other 1643  
circumstances considered by the court and notwithstanding any 1644  
provisions to the contrary contained in Criminal Rule 46, before 1645  
setting the amount and conditions of the bail for the person: 1646

(1) Whether the person has a history of violence toward the 1647  
complainant or a history of other violent acts; 1648

(2) The mental health of the person; 1649

(3) Whether the person has a history of violating the orders 1650  
of any court or governmental entity; 1651

(4) Whether the person is potentially a threat to any other 1652

person; 1653

(5) Whether setting bail at a high level will interfere with 1654  
any treatment or counseling that the person is undergoing. 1655

(B) Any court that has jurisdiction over violations of 1656  
section 2903.21, 2903.211, 2903.22, or 2911.211 of the Revised 1657  
Code, violations of a municipal ordinance that is substantially 1658  
similar to one of those sections, or sexually oriented offenses 1659  
may set a schedule for bail to be used in cases involving those 1660  
violations. The schedule shall require that a judge consider all 1661  
of the factors listed in division (A) of this section and may 1662  
require judges to set bail at a certain level or impose other 1663  
reasonable conditions related to a release on bail or on 1664  
recognizance if the history of the alleged offender or the 1665  
circumstances of the alleged offense meet certain criteria in the 1666  
schedule. 1667

(C) As used in this section, "sexually oriented offense" has 1668  
the same meaning as in section 2950.01 of the Revised Code. 1669

**Sec. 2921.25.** (A) No judge ~~of a or community~~ court ~~of record,~~ 1670  
~~or mayor presiding over a mayor's court,~~ magistrate shall order a 1671  
peace officer, parole officer, prosecuting attorney, assistant 1672  
prosecuting attorney, correctional employee, or youth services 1673  
employee who is a witness in a criminal case, to disclose the 1674  
peace officer's, parole officer's, prosecuting attorney's, 1675  
assistant prosecuting attorney's, correctional employee's, or 1676  
youth services employee's home address during the peace officer's, 1677  
parole officer's, prosecuting attorney's, assistant prosecuting 1678  
attorney's, correctional employee's, or youth services employee's 1679  
examination in the case, unless the judge or ~~mayor~~ magistrate 1680  
determines that the defendant has a right to the disclosure. 1681

(B) As used in this section: 1682

(1) "Peace officer" has the same meaning as in section 1683  
2935.01 of the Revised Code. 1684

(2) "Correctional employee" and "youth services employee" 1685  
have the same meanings as in section 149.43 of the Revised Code. 1686

**Sec. 2931.01.** As used in Chapters 2931. to 2953. of the 1687  
Revised Code: 1688

(A) "Magistrate" includes county court judges, ~~police~~ 1689  
~~justices, mayors of municipal corporation~~ community court 1690  
magistrates, and judges of other courts inferior to the court of 1691  
common pleas. 1692

(B) "Judge" does not include the probate judge. 1693

(C) "Court" does not include the probate court. 1694

(D) "Clerk" does not include the clerk of the probate court. 1695

**Sec. 2933.02.** When a complaint is made in writing and upon 1696  
oath, filed with a municipal ~~or~~, county, or community court ~~or a~~ 1697  
~~mayor sitting as the judge of a mayor's court~~, and states that the 1698  
complainant has just cause to fear and fears that another 1699  
individual will commit an offense against the person or property 1700  
of the complainant or ~~his~~ the ward or child of the complainant, a 1701  
municipal or county court judge or ~~mayor~~ community court 1702  
magistrate shall issue to the sheriff or to any other appropriate 1703  
peace officer, as defined in section 2935.01 of the Revised Code, 1704  
within the territorial jurisdiction of the court, a warrant in the 1705  
name of the state that commands ~~him~~ the sheriff or peace officer 1706  
forthwith to arrest and take the individual complained of before 1707  
the court to answer the complaint. 1708

**Sec. 2933.03.** Warrants issued under section 2933.02 of the 1709  
Revised Code shall be substantially in the following form: 1710

The State of Ohio, ..... County, ss: 1711

To the sheriff or other appropriate peace officer, greeting: 1712

Whereas, a complaint has been filed by one C.D., in writing 1713  
and upon oath, stating that ~~he~~ such individual has just cause to 1714  
fear and does fear that one E.F. will (here state the threatened 1715  
injury or violence according to the fact as sworn to). 1716

These are therefore to command you to forthwith arrest E.F. 1717  
and bring ~~him~~ such individual before this court to show cause why 1718  
~~he~~ such individual should not find surety to keep the peace and be 1719  
of good behavior toward the citizens of the state generally, and 1720  
C.D. especially, and for ~~his~~ such individual's appearance before 1721  
the proper court. 1722

Given under my hand, this ..... day of ..... 1723

A.B., Judge, ..... County Court; 1724

Judge, ..... Municipal Court; 1725

~~Mayor~~ Magistrate, ..... ~~Mayor's~~ 1726

Community Court

**Sec. 2933.04.** When the accused ~~in~~ is brought before the 1727  
municipal, county, or ~~mayor's~~ community court pursuant to sections 1728  
2933.02 and 2933.03 of the Revised Code, ~~he~~ the accused shall be 1729  
heard in ~~his~~ the accused's own defense. If it is necessary for 1730  
just cause to adjourn the hearing, the municipal or county court 1731  
judge or ~~mayor~~ community court magistrate involved may order such 1732  
adjournment. The judge or ~~mayor~~ magistrate also may direct the 1733  
sheriff or other peace officer having custody of the accused to 1734  
detain ~~him~~ the accused in the county jail or other appropriate 1735  
detention facility until the cause of delay is removed, unless a 1736  
bond in a sum fixed by the judge or ~~mayor~~ magistrate but not to 1737  
exceed five hundred dollars, with sufficient surety, is given by 1738  
the accused. A delay shall not exceed two days. 1739

**Sec. 2933.05.** The municipal or county court judge or ~~mayer~~ 1740  
~~sitting as the judge of a mayor's court~~ community court 1741  
magistrate, upon the appearance of the parties pursuant to 1742  
sections 2933.02 to 2933.04 of the Revised Code, shall hear the 1743  
witnesses under oath and do one of the following: 1744

(A) Discharge the accused, render judgment against the 1745  
complainant for costs, and award execution for the costs; 1746

(B) Order the accused to enter into a bond of not less than 1747  
fifty or more than five hundred dollars, with sufficient surety, 1748  
to keep the peace and be of good behavior for such time as may be 1749  
just, render judgment against ~~him~~ the accused for costs, and award 1750  
execution for the costs. 1751

In default of such bond, the judge or ~~mayer~~ magistrate shall 1752  
commit the accused to the county jail or other appropriate 1753  
detention facility, until such order is complied with or ~~he~~ the 1754  
accused is discharged. 1755

**Sec. 2933.06.** The accused under sections 2933.02 to 2933.05 1756  
of the Revised Code may appeal from the decision of a municipal or 1757  
county court judge or community court magistrate to the 1758  
appropriate court of appeals ~~or from the decision of a mayor~~ 1759  
~~sitting as the judge of a mayor's court to the appropriate~~ 1760  
~~municipal or county court.~~ An appeal ~~from the decision of a~~ 1761  
~~municipal or county court judge to the appropriate court of~~ 1762  
~~appeals~~ shall be only as to questions of law and, to the extent 1763  
~~that sections 2933.06 to 2933.09 of the Revised Code do~~ this 1764  
section does not contain relevant provisions, shall be made and 1765  
proceed in accordance with the Rules of Appellate Procedure. ~~An~~ 1766  
~~appeal from the decision of a mayor sitting as the judge of a~~ 1767  
~~mayor's court to the appropriate municipal or county court shall~~ 1768  
~~be as to questions of law and fact, and shall be made and proceed~~ 1769

~~in accordance with sections 2933.06 to 2933.09 of the Revised Code.~~ 1770  
1771

In connection with ~~either type of~~ an appeal, the accused 1772  
shall file with the clerk of the municipal, county, or ~~mayer's~~ 1773  
community court, within ten days after the decision is rendered, 1774  
an appeal bond in a sum to be fixed by the judge or ~~mayer~~ 1775  
magistrate at not less than fifty or more than five hundred 1776  
dollars, with surety to be approved by the judge or ~~mayer~~ 1777  
magistrate, conditioned that, pending the determination of the 1778  
appeal, the accused will keep the peace and will be of good 1779  
behavior generally and especially towards the person named in the 1780  
complaint. Upon the filing of the appeal bond, the clerk of the 1781  
municipal, county, or ~~mayer's~~ community court forthwith shall make 1782  
a certified transcript of the proceedings in the action, the 1783  
appeal bond to be included. Upon the payment by the appellant of 1784  
the fee for the transcript, the clerk immediately shall file the 1785  
transcript and all the original papers in the action in the office 1786  
of the clerk of the appellate court. 1787

**Sec. 2933.10.** Whoever, in the presence of a municipal or 1788  
county court judge, or a ~~mayer sitting as the judge of a mayer's~~ 1789  
~~court~~ community court magistrate, makes an affray, threatens to 1790  
beat or kill another or to commit an offense against the person or 1791  
property of another, or contends with angry words to the 1792  
disturbance of the peace, may be ordered without process or other 1793  
proof to enter into a bond under section 2933.05 of the Revised 1794  
Code. In default of such a bond, the person may be committed under 1795  
that section. 1796

**Sec. 2937.08.** Upon a plea of not guilty or a plea of once in 1797  
jeopardy, if the charge be a misdemeanor in a court ~~of record~~ 1798  
other than a community court, the court shall proceed to set the 1799  
matter for trial at a future time, pursuant to Chapter 2938. of 1800

the Revised Code, and shall let accused to bail pending such 1801  
trial. Or ~~he~~ the court may, but only if both prosecutor and 1802  
accused expressly consent, set the matter for trial forthwith. 1803

Upon the entry of such pleas to a charge of misdemeanor in a 1804  
community court ~~not of record~~, the magistrate shall forthwith set 1805  
the matter for future trial or, with the consent of both state and 1806  
defendant may set trial forthwith, both pursuant to Chapter 2938. 1807  
of the Revised Code, provided that if the nature of the offense is 1808  
such that right to jury trial exists, such matter shall not be 1809  
tried before ~~him~~ the magistrate unless the accused, by writing 1810  
subscribed by ~~him~~ the accused, waives a jury and consents to be 1811  
tried by the magistrate. 1812

If the defendant in such event does not waive right to jury 1813  
trial, then the magistrate shall require the accused to enter into 1814  
recognizance to appear before a the municipal court ~~of record in~~ 1815  
~~the or county, set by such magistrate~~ court that has territorial 1816  
jurisdiction over the municipal corporation in which the community 1817  
court is located, and the magistrate shall thereupon certify all 1818  
papers filed, together with transcript of proceedings and accrued 1819  
costs to date, and such recognizance if given, to such ~~designated~~ 1820  
court ~~of record~~. Such transfer shall not require the filing of 1821  
indictment or information and trial shall proceed in the 1822  
transferee court pursuant to Chapter 2938. of the Revised Code. 1823

**Sec. 2938.04.** In courts ~~of record~~ other than community 1824  
courts, the right to trial by jury as defined in section 2945.17 1825  
of the Revised Code shall be claimed by making demand in writing 1826  
therefor and filing the same with the clerk of the court not less 1827  
than three days prior to the date set for trial or on the day 1828  
following receipt of notice whichever is the later. Failure to 1829  
claim jury trial as provided in this section is a complete waiver 1830  
of right thereto. In community courts ~~not of record~~ jury trial may 1831

not be had, but failure to waive jury in writing where right to 1832  
jury trial may be asserted shall require the magistrate to certify 1833  
such case to a another court ~~of record~~ as provided in section 1834  
2937.08 of the Revised Code. 1835

**Sec. 2953.03.** (A) If a motion for a new trial is filed 1836  
pursuant to Criminal Rule 33 by a defendant who is convicted of a 1837  
misdemeanor under the Revised Code or an ordinance of a municipal 1838  
corporation, and if that defendant was on bail at the time of the 1839  
conviction of that offense, the trial judge or magistrate shall 1840  
suspend execution of the sentence or judgment imposed pending the 1841  
determination on the motion for a new trial and shall determine 1842  
the amount and nature of any bail that is required of the 1843  
defendant in accordance with Criminal Rule 46. 1844

(B) If a notice of appeal is filed pursuant to the Rules of 1845  
Appellate Procedure or Chapter 1905. of the Revised Code by a 1846  
defendant who is convicted in a municipal, county, or ~~mayor's~~ 1847  
community court or a court of common pleas of a misdemeanor under 1848  
the Revised Code or an ordinance of a municipal corporation, if 1849  
that defendant was on bail at the time of the conviction of that 1850  
offense, and if execution of the sentence or judgment imposed is 1851  
suspended, the trial court or magistrate or the court in which the 1852  
appeal is being prosecuted shall determine the amount and nature 1853  
of any bail that is required of the defendant ~~as follows:~~ 1854

~~(1) In the case of an appeal to a court of appeals by a 1855  
defendant who is convicted in a municipal or county court or a 1856  
court of common pleas, in accordance with Appellate Rule 8 and 1857  
Criminal Rule 46:~~ 1858

~~(2) In the case of an appeal to a municipal or county court 1859  
by a defendant who is convicted in a mayor's court, in accordance 1860  
with Criminal Rule 46. 1861~~

**Sec. 2953.07.** (A) Upon the hearing of an appeal ~~other than an~~ 1862  
~~appeal from a mayor's court,~~ the appellate court may affirm the 1863  
judgment or reverse it, in whole or in part, or modify it, and 1864  
order the accused to be discharged or grant a new trial. The 1865  
appellate court may remand the accused for the sole purpose of 1866  
correcting a sentence imposed contrary to law, provided that, on 1867  
an appeal of a sentence imposed upon a person who is convicted of 1868  
or pleads guilty to a felony that is brought under section 2953.08 1869  
of the Revised Code, division (G) of that section applies to the 1870  
court. If the judgment is reversed, the appellant shall recover 1871  
from the appellee all court costs incurred to secure the reversal, 1872  
including the cost of transcripts. In capital cases, when the 1873  
judgment is affirmed and the day fixed for the execution is 1874  
passed, the appellate court shall appoint a day for it, and the 1875  
clerk of the appellate court shall issue a warrant under the seal 1876  
of the appellate court, to the sheriff of the proper county, or 1877  
the warden of the appropriate state correctional institution, 1878  
commanding the sheriff or warden to carry the sentence into 1879  
execution on the day so appointed. The sheriff or warden shall 1880  
execute and return the warrant as in other cases, and the clerk 1881  
shall record the warrant and return. 1882

(B) As used in this section, "appellate court" means, for a 1883  
case in which a sentence of death is imposed for an offense 1884  
committed before January 1, 1995, both the court of appeals and 1885  
the supreme court, and for a case in which a sentence of death is 1886  
imposed for an offense committed on or after January 1, 1995, the 1887  
supreme court. 1888

**Sec. 3375.50.** ~~All~~ Subject to division (F)(2) of section 1889  
1901.31 of the Revised Code, all fines and penalties collected by, 1890  
and moneys arising from forfeited bail in, a municipal court for 1891  
offenses and misdemeanors brought for prosecution in the name of a 1892

municipal corporation under one of its penal ordinances, where 1893  
there is in force a state statute under which the offense might be 1894  
prosecuted, or brought for prosecution in the name of the state, 1895  
except a portion of such fines, penalties, and moneys which, plus 1896  
all costs collected monthly in such state cases, equal the 1897  
compensation allowed by the board of county commissioners to the 1898  
judges of the municipal court, its clerk, and the prosecuting 1899  
attorney of such court in state cases, shall be retained by the 1900  
clerk of such municipal court, and be paid by ~~him~~ the clerk 1901  
forthwith, each month, to the board of trustees of the law library 1902  
association in the county in which such municipal corporation is 1903  
located. The sum so retained and paid by the clerk of the 1904  
municipal court to the board of trustees of such law library 1905  
association shall, in no month, be less than twenty-five per cent 1906  
of the amount of such fines, penalties, and moneys received in 1907  
that month, without deducting the amount of the allowance of the 1908  
board of county commissioners to the judges, clerk, and 1909  
prosecuting attorney. 1910

The total amount paid under this section in any one calendar 1911  
year by the clerks of all municipal courts in any one county to 1912  
the board of trustees of such law library association shall in no 1913  
event exceed the following amounts: 1914

(A) In counties having a population of fifty thousand or 1915  
less, seventy-five hundred dollars and the maximum amount paid by 1916  
any of such courts shall not exceed four thousand dollars in any 1917  
calendar year. 1918

(B) In counties having a population in excess of fifty 1919  
thousand but not in excess of one hundred thousand, eight thousand 1920  
dollars and the maximum amount paid by any of such courts shall 1921  
not exceed five thousand five hundred dollars in any calendar 1922  
year. 1923

(C) In counties having a population in excess of one hundred 1924

thousand but not in excess of one hundred fifty thousand, ten 1925  
thousand dollars and the maximum amount paid by any of such courts 1926  
shall not exceed seven thousand dollars in any calendar year. 1927

(D) In counties having a population of in excess of one 1928  
hundred fifty thousand, fifteen thousand dollars in any calendar 1929  
year. The maximum amount to be paid by each such clerk shall be 1930  
determined by the county auditor in December of each year for the 1931  
next succeeding calendar year, and shall bear the same ratio to 1932  
the total amount payable under this section from the clerks of all 1933  
municipal courts in such county as the total fines, costs, and 1934  
forfeitures received by the corresponding municipal court, bear to 1935  
the total fines, costs, and forfeitures received by all the 1936  
municipal courts in the county, as shown for the last complete 1937  
year of actual receipts, on the latest available budgets of such 1938  
municipal courts. Payments in the full amounts provided in this 1939  
section shall be made monthly by each clerk in each calendar year 1940  
until the maximum amount for such year has been paid. When such 1941  
amount, so determined by the auditor, has been paid to the board 1942  
of trustees of such law library association, then no further 1943  
payments shall be required in that calendar year from the clerk of 1944  
such court. 1945

(E) This section does not apply to fines collected by a 1946  
municipal court for violations of division (B) of section 4513.263 1947  
of the Revised Code, or for violations of any municipal ordinance 1948  
that is substantively comparable to that division, all of which 1949  
shall be forwarded to the treasurer of state as provided in 1950  
division (E) of section 4513.263 of the Revised Code. 1951

**Sec. 4503.13.** (A) A municipal court, county court, or ~~mayer's~~ 1952  
community court, at the court's discretion, may order the clerk of 1953  
the court to send to the registrar of motor vehicles a report 1954  
containing the name, address, and such other information as the 1955

registrar may require by rule, of any person for whom an arrest 1956  
warrant has been issued by that court and is outstanding. 1957

Upon receipt of such a report, the registrar shall enter the 1958  
information contained in the report into the records of the bureau 1959  
of motor vehicles. Neither the registrar nor any deputy registrar 1960  
shall issue a certificate of registration for a motor vehicle 1961  
owner or lessee, when a lessee is determinable under procedures 1962  
established by the registrar under division (E) of this section, 1963  
who is named in the report until the registrar receives 1964  
notification from the municipal court, county court, or ~~mayer's~~ 1965  
community court that there are no outstanding arrest warrants in 1966  
the name of the person. The registrar also shall send a notice to 1967  
the person who is named in the report, via regular first class 1968  
mail sent to the person's last known address as shown in the 1969  
records of the bureau, informing the person that neither the 1970  
registrar nor any deputy registrar is permitted to issue a 1971  
certificate of registration for a motor vehicle in the name of the 1972  
person until the registrar receives notification that there are no 1973  
outstanding arrest warrants in the name of the person. 1974

(B) A clerk who reports an outstanding arrest warrant in 1975  
accordance with division (A) of this section immediately shall 1976  
notify the registrar when the warrant has been executed and 1977  
returned to the issuing court or has been canceled. 1978

Upon receipt of such notification, the registrar shall charge 1979  
and collect from the person named in the executed or canceled 1980  
arrest warrant a processing fee of fifteen dollars to cover the 1981  
costs of the bureau in administering this section. The registrar 1982  
shall deposit all such processing fees into the state bureau of 1983  
motor vehicles fund created by section 4501.25 of the Revised 1984  
Code. 1985

Upon payment of the processing fee, the registrar shall cause 1986  
the report of that outstanding arrest warrant to be removed from 1987

the records of the bureau and, if there are no other outstanding 1988  
arrest warrants issued by a municipal court, county court, or 1989  
~~mayer's~~ community court in the name of the person and the person 1990  
otherwise is eligible to be issued a certificate of registration 1991  
for a motor vehicle, the registrar or a deputy registrar may issue 1992  
a certificate of registration for a motor vehicle in the name of 1993  
the person named in the executed or canceled arrest warrant. 1994

(C) Neither the registrar, any employee of the bureau, a 1995  
deputy registrar, nor any employee of a deputy registrar is 1996  
personally liable for damages or injuries resulting from any error 1997  
made by a clerk in entering information contained in a report 1998  
submitted to the registrar under this section. 1999

(D) Any information submitted to the registrar by a clerk 2000  
under this section shall be transmitted by means of an electronic 2001  
data transfer system. 2002

(E) The registrar shall determine the procedures and 2003  
information necessary to implement this section in regard to motor 2004  
vehicle lessees. Division (A) of this section shall not apply to 2005  
cases involving a motor vehicle lessee until such procedures are 2006  
established. 2007

**Sec. 4503.233.** (A)(1) If a court orders the immobilization of 2008  
a vehicle for a specified period of time pursuant to section 2009  
4510.11, 4510.14, 4510.16, 4510.161, 4510.41, 4511.19, 4511.193, 2010  
or 4511.203 of the Revised Code, the court shall issue the 2011  
immobilization order in accordance with this division and for the 2012  
period of time specified in the particular section, and the 2013  
immobilization under the order shall be in accordance with this 2014  
section. The court, at the time of sentencing the offender for the 2015  
offense relative to which the immobilization order is issued or as 2016  
soon thereafter as is practicable, shall give a copy of the order 2017  
to the offender or the offender's counsel. The court promptly 2018

shall send a copy of the order to the registrar on a form 2019  
prescribed by the registrar and to the person or agency it 2020  
designates to execute the order. 2021

The order shall indicate the date on which it is issued, 2022  
shall identify the vehicle that is subject to the order, and shall 2023  
specify all of the following: 2024

(a) The period of the immobilization; 2025

(b) The place at which the court determines that the 2026  
immobilization shall be carried out, provided that the court shall 2027  
not determine and shall not specify that the immobilization is to 2028  
be carried out at any place other than a commercially operated 2029  
private storage lot, a place owned by a law enforcement or other 2030  
government agency, or a place to which one of the following 2031  
applies: 2032

(i) The place is leased by or otherwise under the control of 2033  
a law enforcement or other government agency. 2034

(ii) The place is owned by the offender, the offender's 2035  
spouse, or a parent or child of the offender. 2036

(iii) The place is owned by a private person or entity, and, 2037  
prior to the issuance of the order, the private entity or person 2038  
that owns the place, or the authorized agent of that private 2039  
entity or person, has given express written consent for the 2040  
immobilization to be carried out at that place. 2041

(iv) The place is a public street or highway on which the 2042  
vehicle is parked in accordance with the law. 2043

(c) The person or agency designated by the court to execute 2044  
the order, which shall be either the law enforcement agency that 2045  
employs the law enforcement officer who seized the vehicle, a 2046  
bailiff of the court, another person the court determines to be 2047  
appropriate to execute the order, or the law enforcement agency 2048

with jurisdiction over the place of residence of the vehicle 2049  
owner; 2050

(d) That neither the registrar nor a deputy registrar will be 2051  
permitted to accept an application for the license plate 2052  
registration of any motor vehicle in the name of the vehicle owner 2053  
until the immobilization fee is paid. 2054

(2) The person or agency the court designates to immobilize 2055  
the vehicle shall seize or retain that vehicle's license plates 2056  
and forward them to the bureau of motor vehicles. 2057

(3) In all cases, the offender shall be assessed an 2058  
immobilization fee of one hundred dollars, and the immobilization 2059  
fee shall be paid to the registrar before the vehicle may be 2060  
released to the offender. Neither the registrar nor a deputy 2061  
registrar shall accept an application for the registration of any 2062  
motor vehicle in the name of the offender until the immobilization 2063  
fee is paid. 2064

(4) If the vehicle subject to the order is immobilized 2065  
pursuant to the order and is found being operated upon any street 2066  
or highway in this state during the immobilization period, it 2067  
shall be seized, removed from the street or highway, and 2068  
criminally forfeited and disposed of pursuant to section 4503.234 2069  
of the Revised Code. 2070

(5) The registrar shall deposit the immobilization fee into 2071  
the law enforcement reimbursement fund created by section 4501.19 2072  
of the Revised Code. Money in the fund shall be expended only as 2073  
provided in division (A)(5) of this section. If the court 2074  
designated in the order a court bailiff or another appropriate 2075  
person other than a law enforcement officer to immobilize the 2076  
vehicle, the amount of the fee deposited into the law enforcement 2077  
reimbursement fund shall be paid out to the county treasury if the 2078  
court that issued the order is a county court, to the treasury of 2079

the municipal corporation served by the court if the court that 2080  
issued the order is a ~~mayer's~~ community court, or to the city 2081  
treasury of the legislative authority of the court, both as 2082  
defined in section 1901.03 of the Revised Code, if the court that 2083  
issued the order is a municipal court. If the court designated a 2084  
law enforcement agency to immobilize the vehicle and if the law 2085  
enforcement agency immobilizes the vehicle, the amount of the fee 2086  
deposited into the law enforcement reimbursement fund shall be 2087  
paid out to the law enforcement agency to reimburse the agency for 2088  
the costs it incurs in obtaining immobilization equipment and, if 2089  
required, in sending an officer or other person to search for and 2090  
locate the vehicle specified in the immobilization order and to 2091  
immobilize the vehicle. 2092

In addition to the immobilization fee required to be paid 2093  
under division (A)(3) of this section, the offender may be charged 2094  
expenses or charges incurred in the removal and storage of the 2095  
immobilized vehicle. 2096

(B) If a court issues an immobilization order under division 2097  
(A)(1) of this section, the person or agency designated by the 2098  
court to execute the immobilization order promptly shall 2099  
immobilize or continue the immobilization of the vehicle at the 2100  
place specified by the court in the order. The registrar shall not 2101  
authorize the release of the vehicle or authorize the issuance of 2102  
new identification license plates for the vehicle at the end of 2103  
the immobilization period until the immobilization fee has been 2104  
paid. 2105

(C) Upon receipt of the license plates for a vehicle under 2106  
this section, the registrar shall destroy the license plates. At 2107  
the end of the immobilization period and upon the payment of the 2108  
immobilization fee that must be paid under this section, the 2109  
registrar shall authorize the release of the vehicle and authorize 2110  
the issuance, upon the payment of the same fee as is required for 2111

the replacement of lost, mutilated, or destroyed license plates 2112  
and certificates of registration, of new license plates and, if 2113  
necessary, a new certificate of registration to the offender for 2114  
the vehicle in question. 2115

(D)(1) If a court issues an immobilization order under 2116  
division (A) of this section, the immobilization period commences 2117  
on the day on which the vehicle in question is immobilized. If the 2118  
vehicle in question had been seized under section 4510.41 or 2119  
4511.195 of the Revised Code, the time between the seizure and the 2120  
beginning of the immobilization period shall be credited against 2121  
the immobilization period specified in the immobilization order 2122  
issued under division (A) of this section. No vehicle that is 2123  
immobilized under this section is eligible to have restricted 2124  
license plates under section 4503.231 of the Revised Code issued 2125  
for that vehicle. 2126

(2) If a court issues an immobilization order under division 2127  
(A) of this section, if the vehicle subject to the order is 2128  
immobilized under the order, and if the vehicle is found being 2129  
operated upon any street or highway of this state during the 2130  
immobilization period, it shall be seized, removed from the street 2131  
or highway, and criminally forfeited, and disposed of pursuant to 2132  
section 4503.234 of the Revised Code. No vehicle that is forfeited 2133  
under this provision shall be considered contraband for purposes 2134  
of Chapter 2981. of the Revised Code, but shall be held by the law 2135  
enforcement agency that employs the officer who seized it for 2136  
disposal in accordance with section 4503.234 of the Revised Code. 2137

(3) If a court issues an immobilization order under division 2138  
(A) of this section, and if the vehicle is not claimed within 2139  
seven days after the end of the period of immobilization or if the 2140  
offender has not paid the immobilization fee, the person or agency 2141  
that immobilized the vehicle shall send a written notice to the 2142  
offender at the offender's last known address informing the 2143

offender of the date on which the period of immobilization ended, 2144  
that the offender has twenty days after the date of the notice to 2145  
pay the immobilization fee and obtain the release of the vehicle, 2146  
and that if the offender does not pay the fee and obtain the 2147  
release of the vehicle within that twenty-day period, the vehicle 2148  
will be forfeited under section 4503.234 of the Revised Code to 2149  
the entity that is entitled to the immobilization fee. 2150

(4) An offender whose motor vehicle is subject to an 2151  
immobilization order issued under division (A) of this section 2152  
shall not sell the motor vehicle without approval of the court 2153  
that issued the order. If such an offender wishes to sell the 2154  
motor vehicle during the immobilization period, the offender shall 2155  
apply to the court that issued the immobilization order for 2156  
permission to assign the title to the vehicle. If the court is 2157  
satisfied that the sale will be in good faith and not for the 2158  
purpose of circumventing the provisions of division (A)(1) of this 2159  
section, it may certify its consent to the offender and to the 2160  
registrar. Upon receipt of the court's consent, the registrar 2161  
shall enter the court's notice in the offender's vehicle license 2162  
plate registration record. 2163

If, during a period of immobilization under an immobilization 2164  
order issued under division (A) of this section, the title to the 2165  
immobilized motor vehicle is transferred by the foreclosure of a 2166  
chattel mortgage, a sale upon execution, the cancellation of a 2167  
conditional sales contract, or an order of a court, the involved 2168  
court shall notify the registrar of the action, and the registrar 2169  
shall enter the court's notice in the offender's vehicle license 2170  
plate registration record. 2171

Nothing in this section shall be construed as requiring the 2172  
registrar or the clerk of the court of common pleas to note upon 2173  
the certificate of title records any prohibition regarding the 2174  
sale of a motor vehicle. 2175

(5) If the title to a motor vehicle that is subject to an immobilization order under division (A) of this section is assigned or transferred without court approval between the time of arrest of the offender who committed the offense for which such an order is to be issued and the time of the actual immobilization of the vehicle, the court shall order that, for a period of two years from the date of the order, neither the registrar nor any deputy registrar shall accept an application for the registration of any motor vehicle in the name of the offender whose vehicle was assigned or transferred without court approval. The court shall notify the registrar of the order on a form prescribed by the registrar for that purpose.

(6) If the title to a motor vehicle that is subject to an immobilization order under division (A) of this section is assigned or transferred without court approval in violation of division (D)(4) of this section, then, in addition to or independent of any other penalty established by law, the court may fine the offender the value of the vehicle as determined by publications of the national auto dealers association. The proceeds from any fine so imposed shall be distributed in the same manner as the proceeds of the sale of a forfeited vehicle are distributed pursuant to division (C)(2) of section 4503.234 of the Revised Code.

(E)(1) The court with jurisdiction over the case, after notice to all interested parties including lienholders, and after an opportunity for them to be heard, if the offender fails to appear in person, without good cause, or if the court finds that the offender does not intend to seek release of the vehicle at the end of the period of immobilization or that the offender is not or will not be able to pay the expenses and charges incurred in its removal and storage, may order that title to the vehicle be transferred, in order of priority, first into the name of the

entity entitled to the immobilization fee under division (A)(5) of 2208  
this section, next into the name of a lienholder, or lastly, into 2209  
the name of the owner of the place of storage. 2210

A lienholder that receives title under a court order shall do 2211  
so on the condition that it pay any expenses or charges incurred 2212  
in the vehicle's removal and storage. If the entity that receives 2213  
title to the vehicle is the entity that is entitled to the 2214  
immobilization fee under division (A)(5) of this section, it shall 2215  
receive title on the condition that it pay any lien on the 2216  
vehicle. The court shall not order that title be transferred to 2217  
any person or entity other than the owner of the place of storage 2218  
if the person or entity refuses to receive the title. Any person 2219  
or entity that receives title may either keep title to the vehicle 2220  
or may dispose of the vehicle in any legal manner that it 2221  
considers appropriate, including assignment of the certificate of 2222  
title to the motor vehicle to a salvage dealer or a scrap metal 2223  
processing facility. The person or entity shall not transfer the 2224  
vehicle to the person who is the vehicle's immediate previous 2225  
owner. 2226

If the person or entity assigns the motor vehicle to a 2227  
salvage dealer or scrap metal processing facility, the person or 2228  
entity shall send the assigned certificate of title to the motor 2229  
vehicle to the clerk of the court of common pleas of the county in 2230  
which the salvage dealer or scrap metal processing facility is 2231  
located. The person or entity shall mark the face of the 2232  
certificate of title with the words "FOR DESTRUCTION" and shall 2233  
deliver a photocopy of the certificate of title to the salvage 2234  
dealer or scrap metal processing facility for its records. 2235

(2) Whenever a court issues an order under division (E)(1) of 2236  
this section, the court also shall order removal of the license 2237  
plates from the vehicle and cause them to be sent to the registrar 2238  
if they have not already been sent to the registrar. Thereafter, 2239

no further proceedings shall take place under this section, but 2240  
the offender remains liable for payment of the immobilization fee 2241  
described in division (A)(3) of this section if an immobilization 2242  
order previously had been issued by the court. 2243

(3) Prior to initiating a proceeding under division (E)(1) of 2244  
this section, and upon payment of the fee under division (B) of 2245  
section 4505.14 of the Revised Code, any interested party may 2246  
cause a search to be made of the public records of the bureau of 2247  
motor vehicles or the clerk of the court of common pleas, to 2248  
ascertain the identity of any lienholder of the vehicle. The 2249  
initiating party shall furnish this information to the clerk of 2250  
the court with jurisdiction over the case, and the clerk shall 2251  
provide notice to the vehicle owner, the defendant, any 2252  
lienholder, and any other interested parties listed by the 2253  
initiating party, at the last known address supplied by the 2254  
initiating party, by certified mail or, at the option of the 2255  
initiating party, by personal service or ordinary mail. 2256

As used in this section, "interested party" includes the 2257  
offender, all lienholders, the owner of the place of storage, the 2258  
person or entity that caused the vehicle to be removed, and the 2259  
person or entity, if any, entitled to the immobilization fee under 2260  
division (A)(5) of this section. 2261

**Sec. 4507.091.** (A) A municipal court, county court, or 2262  
~~mayer's~~ community court, at the court's discretion, may order the 2263  
clerk of the court to send to the registrar of motor vehicles a 2264  
report containing the name, address, and such other information as 2265  
the registrar may require by rule, of any person for whom an 2266  
arrest warrant has been issued by that court and is outstanding. 2267

Upon receipt of such a report, the registrar shall enter the 2268  
information contained in the report into the records of the bureau 2269  
of motor vehicles. Neither the registrar nor any deputy registrar 2270

shall issue a temporary instruction permit or driver's or 2271  
commercial driver's license to the person named in the report, or 2272  
renew the driver's or commercial driver's license of such person, 2273  
until the registrar receives notification from the municipal 2274  
court, county court, or mayor's court that there are no 2275  
outstanding arrest warrants in the name of the person. The 2276  
registrar also shall send a notice to the person who is named in 2277  
the report, via regular first class mail sent to the person's last 2278  
known address as shown in the records of the bureau, informing the 2279  
person that neither the registrar nor any deputy registrar is 2280  
permitted to issue a temporary instruction permit or driver's or 2281  
commercial driver's license to the person, or renew the driver's 2282  
or commercial driver's license of the person, until the registrar 2283  
receives notification that there are no outstanding arrest 2284  
warrants in the name of the person. 2285

(B) A clerk who reports an outstanding arrest warrant in 2286  
accordance with division (A) of this section immediately shall 2287  
notify the registrar when the warrant has been executed and 2288  
returned to the issuing court or has been canceled. The clerk 2289  
shall charge and collect from the person named in the executed or 2290  
canceled arrest warrant a processing fee of fifteen dollars to 2291  
cover the costs of the bureau in administering this section. The 2292  
clerk shall transmit monthly all such processing fees to the 2293  
registrar for deposit into the state bureau of motor vehicles fund 2294  
created by section 4501.25 of the Revised Code. 2295

Upon receipt of such notification, the registrar shall cause 2296  
the report of that outstanding arrest warrant to be removed from 2297  
the records of the bureau and, if there are no other outstanding 2298  
arrest warrants issued by a municipal court, county court, or 2299  
~~mayor's~~ community court in the name of the person and the person 2300  
otherwise is eligible to be issued a driver's or commercial 2301  
driver's license or to have such a license renewed, the registrar 2302

or a deputy registrar may issue a driver's license or commercial driver's license to the person named in the executed or canceled arrest warrant, or renew the driver's or commercial driver's license of such person.

(C) Neither the registrar, any employee of the bureau, a deputy registrar, nor any employee of a deputy registrar is personally liable for damages or injuries resulting from any error made by a clerk in entering information contained in a report submitted to the registrar under this section.

(D) Any information submitted to the registrar by a clerk under this section shall be transmitted by means of an electronic data transfer system.

**Sec. 4507.164.** (A) Except as provided in divisions (C) to (E) of this section, when the license of any person is suspended pursuant to any provision of the Revised Code other than division (G) of section 4511.19 of the Revised Code and other than section 4510.07 of the Revised Code for a violation of a municipal OVI ordinance, the trial judge may impound the identification license plates of any motor vehicle registered in the name of the person.

(B)(1) When the license of any person is suspended pursuant to division (G)(1)(a) of section 4511.19 of the Revised Code, or pursuant to section 4510.07 of the Revised Code for a municipal OVI offense when the suspension is equivalent in length to the suspension under division (G) of section 4511.19 of the Revised Code that is specified in this division, the trial judge of the court of record or the ~~mayer~~ magistrate of the ~~mayer's~~ community court that suspended the license may impound the identification license plates of any motor vehicle registered in the name of the person.

(2) When the license of any person is suspended pursuant to division (G)(1)(b) of section 4511.19 of the Revised Code, or

pursuant to section 4510.07 of the Revised Code for a municipal 2334  
OVI offense when the suspension is equivalent in length to the 2335  
suspension under division (G) of section 4511.19 of the Revised 2336  
Code that is specified in this division, the trial judge of the 2337  
court of record that suspended the license shall order the 2338  
impoundment of the identification license plates of the motor 2339  
vehicle the offender was operating at the time of the offense and 2340  
the immobilization of that vehicle in accordance with section 2341  
4503.233 and division (G)(1)(b) of section 4511.19 or division 2342  
(B)(2)(a) of section 4511.193 of the Revised Code and may impound 2343  
the identification license plates of any other motor vehicle 2344  
registered in the name of the person whose license is suspended. 2345

(3) When the license of any person is suspended pursuant to 2346  
division (G)(1)(c), (d), or (e) of section 4511.19 of the Revised 2347  
Code, or pursuant to section 4510.07 of the Revised Code for a 2348  
municipal OVI offense when the suspension is equivalent in length 2349  
to the suspension under division (G) of section 4511.19 of the 2350  
Revised Code that is specified in this division, the trial judge 2351  
of the court of record that suspended the license shall order the 2352  
criminal forfeiture to the state of the motor vehicle the offender 2353  
was operating at the time of the offense in accordance with 2354  
section 4503.234 and division (G)(1)(c), (d), or (e) of section 2355  
4511.19 or division (B)(2)(b) of section 4511.193 of the Revised 2356  
Code and may impound the identification license plates of any 2357  
other motor vehicle registered in the name of the person whose 2358  
license is suspended. 2359

(C)(1) When a person is convicted of or pleads guilty to a 2360  
violation of section 4510.14 of the Revised Code or a 2361  
substantially equivalent municipal ordinance and division (B)(1) 2362  
or (2) of section 4510.14 or division (C)(1) or (2) of section 2363  
4510.161 of the Revised Code applies, the trial judge of the court 2364  
~~of record~~ or the ~~mayer~~ magistrate of the ~~mayer's~~ community court 2365

that imposes sentence shall order the immobilization of the 2366  
vehicle the person was operating at the time of the offense and 2367  
the impoundment of its identification license plates in accordance 2368  
with section 4503.233 and division (B)(1) or (2) of section 2369  
4510.14 or division (C)(1) or (2) of section 4510.161 of the 2370  
Revised Code and may impound the identification license plates of 2371  
any other vehicle registered in the name of that person. 2372

(2) When a person is convicted of or pleads guilty to a 2373  
violation of section 4510.14 of the Revised Code or a 2374  
substantially equivalent municipal ordinance and division (B)(3) 2375  
of section 4510.14 or division (C)(3) of section 4510.161 of the 2376  
Revised Code applies, the trial judge of the court of record that 2377  
imposes sentence shall order the criminal forfeiture to the state 2378  
of the vehicle the person was operating at the time of the offense 2379  
in accordance with section 4503.234 and division (B)(3) of section 2380  
4510.14 or division (C)(3) of section 4510.161 of the Revised Code 2381  
and may impound the identification license plates of any other 2382  
vehicle registered in the name of that person. 2383

(D)~~(1)~~ When a person is convicted of or pleads guilty to a 2384  
violation of division (A) of section 4510.16 of the Revised Code 2385  
or a substantially equivalent municipal ordinance, division (B) of 2386  
section 4510.16 or division (B) of section 4510.161 of the Revised 2387  
Code applies in determining whether the immobilization of the 2388  
vehicle the person was operating at the time of the offense and 2389  
the impoundment of its identification license plates or the 2390  
criminal forfeiture to the state of the vehicle the person was 2391  
operating at the time of the offense is authorized or required. 2392  
The trial judge of the court ~~of record~~ or the ~~mayer~~ magistrate of 2393  
the ~~mayer's~~ community court that imposes sentence may impound the 2394  
identification license plates of any other vehicle registered in 2395  
the name of that person. 2396

(E)(1) When a person is convicted of or pleads guilty to a 2397

violation of section 4511.203 of the Revised Code and the person 2398  
is sentenced pursuant to division (C)(1) or (2) of section 2399  
4511.203 of the Revised Code, the trial judge of the court ~~of~~ 2400  
~~record~~ or the ~~mayor~~ magistrate of the ~~mayor's~~ community court that 2401  
imposes sentence shall order the immobilization of the vehicle 2402  
that was involved in the commission of the offense and the 2403  
impoundment of its identification license plates in accordance 2404  
with division (C)(1) or (2) of section 4511.203 and section 2405  
4503.233 of the Revised Code and may impound the identification 2406  
license plates of any other vehicle registered in the name of that 2407  
person. 2408

(2) When a person is convicted of or pleads guilty to a 2409  
violation of section 4511.203 of the Revised Code and the person 2410  
is sentenced pursuant to division (C)(3) of section 4511.203 of 2411  
the Revised Code, the trial judge of the court ~~of record~~ or the 2412  
~~mayor~~ magistrate of the ~~mayor's~~ community court that imposes 2413  
sentence shall order the criminal forfeiture to the state of the 2414  
vehicle that was involved in the commission of the offense in 2415  
accordance with division (C)(3) of section 4511.203 and section 2416  
4503.234 of the Revised Code and may impound the identification 2417  
license plates of any other vehicle registered in the name of that 2418  
person. 2419

(F) Except as provided in section 4503.233 or 4503.234 of the 2420  
Revised Code, when the certificate of registration, the 2421  
identification license plates, or both have been impounded, 2422  
division (B) of section 4507.02 of the Revised Code is applicable. 2423

(G) As used in this section, "municipal OVI offense" has the 2424  
same meaning as in section 4511.181 of the Revised Code. 2425

**Sec. 4509.33.** If a nonresident by final order or judgment of 2426  
a court of record ~~or mayor's court~~ is convicted of, or forfeits 2427  
bail or collateral deposited to secure an appearance for trial 2428

for, any offense for which the suspension of a license is 2429  
provided, the registrar of motor vehicles shall impose a 2430  
suspension of the privilege of the nonresident to operate a motor 2431  
vehicle for the same period for which suspension of a license by a 2432  
court of record is authorized by the applicable section of the 2433  
Revised Code. The suspension shall remain in effect until the 2434  
expiration of the period so ordered and thereafter until the 2435  
nonresident gives and thereafter maintains proof of financial 2436  
responsibility in accordance with section 4509.45 of the Revised 2437  
Code. 2438

The registrar shall also suspend the privilege of the use in 2439  
this state of every motor vehicle owned by the nonresident, except 2440  
that the registrar shall not suspend the privilege if the owner 2441  
has given or immediately gives and thereafter maintains proof of 2442  
financial responsibility with respect to all motor vehicles owned 2443  
by the nonresident. The registrar shall restore such privilege of 2444  
a nonresident owner when the owner gives and thereafter maintains 2445  
proof of financial responsibility in accordance with section 2446  
4509.45 of the Revised Code. 2447

**Sec. 4509.35.** Whenever any person fails within thirty days to 2448  
satisfy a judgment rendered within this state, upon the written 2449  
request of the judgment creditor or the judgment creditor's 2450  
attorney, the clerk of the court ~~which~~ that rendered the judgment, 2451  
or the judge ~~of the~~ or community court ~~or mayor of the mayor's~~ 2452  
~~court~~ magistrate if the court has no clerk, immediately shall 2453  
forward a certified copy of the judgment to the registrar of motor 2454  
vehicles. 2455

Whenever any nonresident has been convicted of an offense for 2456  
which the court is required to impose a license suspension under 2457  
any provision of the Revised Code or has forfeited bail given to 2458  
secure the nonresident's appearance for trial upon a charge of any 2459

offense for which the court is required to impose a license 2460  
suspension under any provision of the Revised Code, the clerk of 2461  
~~every the court of record and the mayor of every mayor's, or the~~ 2462  
judge or community court magistrate if the court has no clerk, 2463  
immediately shall forward to the registrar a certified copy or 2464  
transcript of the conviction or order forfeiture of bail. 2465

**Sec. 4510.03.** (A) Every ~~county court judge, mayor of a~~ 2466  
~~mayor's court, and~~ clerk of a court ~~of record, or judge or~~ 2467  
community court magistrate if the court has no clerk, shall keep a 2468  
full record of every case in which a person is charged with any 2469  
violation of any provision of sections 4511.01 to 4511.771 or 2470  
4513.01 to 4513.36 of the Revised Code or of any other law or 2471  
ordinance regulating the operation of vehicles, streetcars, and 2472  
trackless trolleys on highways or streets. 2473

(B) If a person is convicted of or forfeits bail in relation 2474  
to a violation of any section listed in division (A) of this 2475  
section or a violation of any other law or ordinance regulating 2476  
the operation of vehicles, streetcars, and trackless trolleys on 2477  
highways or streets, the ~~county court judge, mayor of a mayor's~~ 2478  
~~court~~ community court magistrate, or clerk, within ten days after 2479  
the conviction or bail forfeiture, shall prepare and immediately 2480  
forward to the bureau of motor vehicles an abstract, certified by 2481  
the preparer to be true and correct, of the court record covering 2482  
the case in which the person was convicted or forfeited bail. 2483  
Every court ~~of record~~ also shall forward to the bureau of motor 2484  
vehicles an abstract of the court record as described in division 2485  
(C) of this section upon the conviction of any person of 2486  
aggravated vehicular homicide or vehicular homicide or of a felony 2487  
in the commission of which a vehicle was used. 2488

(C) Each abstract required by this section shall be made upon 2489  
a form approved and furnished by the bureau and shall include the 2490

name and address of the person charged, the number of the person's 2491  
driver's or commercial driver's license, probationary driver's 2492  
license, or temporary instruction permit, the registration number 2493  
of the vehicle involved, the nature of the offense, the date of 2494  
the offense, the date of hearing, the plea, the judgment, or 2495  
whether bail was forfeited, and the amount of the fine or 2496  
forfeiture. 2497

**Sec. 4510.031.** (A) A United States district court that has 2498  
jurisdiction within this state may utilize the provisions of 2499  
section 4510.03 of the Revised Code in regard to any case in which 2500  
a person is charged with any violation of any provision of 2501  
sections 4511.01 to 4511.771 or 4513.01 to 4513.36 of the Revised 2502  
Code or of any other law or ordinance regulating the operation of 2503  
vehicles, streetcars, and trackless trolleys on highways or 2504  
streets located on federal property within this state. The court 2505  
also may forward to the bureau an abstract upon the conviction of 2506  
any person of aggravated vehicular homicide or vehicular homicide 2507  
or of a felony in the commission of which a vehicle was used. 2508

(B) If a United States district court acts under this 2509  
section, it shall follow the procedures established in section 2510  
4510.03 of the Revised Code. 2511

(C) The bureau of motor vehicles shall accept and process an 2512  
abstract received from a United States district court under this 2513  
section in the same manner as it accepts and processes an abstract 2514  
received from a county court judge, ~~mayer of a mayer's~~ community 2515  
court magistrate, or clerk of a court ~~of record~~. 2516

**Sec. 4510.036.** (A) The bureau of motor vehicles shall record 2517  
within ten days, after receipt, and shall keep at its main office, 2518  
all abstracts received under this section or section 4510.03, 2519  
4510.031, 4510.032, or 4510.034 of the Revised Code and shall 2520

maintain records of convictions and bond forfeitures for any 2521  
violation of a state law or a municipal ordinance regulating the 2522  
operation of vehicles, streetcars, and trackless trolleys on 2523  
highways and streets, except a violation related to parking a 2524  
motor vehicle. 2525

(B) Every court of record ~~or mayor's court~~ before which a 2526  
person is charged with a violation for which points are chargeable 2527  
by this section shall assess and transcribe to the abstract of 2528  
conviction that is furnished by the bureau to the court the number 2529  
of points chargeable by this section in the correct space assigned 2530  
on the reporting form. A United States district court that has 2531  
jurisdiction within this state and before which a person is 2532  
charged with a violation for which points are chargeable by this 2533  
section may assess and transcribe to the abstract of conviction 2534  
report that is furnished by the bureau the number of points 2535  
chargeable by this section in the correct space assigned on the 2536  
reporting form. If the federal court so assesses and transcribes 2537  
the points chargeable for the offense and furnishes the report to 2538  
the bureau, the bureau shall record the points in the same manner 2539  
as those assessed and transcribed by a court of record ~~or mayor's~~ 2540  
~~court~~. 2541

(C) A court shall assess the following points for an offense 2542  
based on the following formula: 2543

(1) Aggravated vehicular homicide, vehicular homicide, 2544  
vehicular manslaughter, aggravated vehicular assault, or vehicular 2545  
assault when the offense involves the operation of a vehicle, 2546  
streetcar, or trackless trolley on a highway or street ..... 2547  
6 points 2548

(2) A violation of section 2921.331 of the Revised Code or 2549  
any ordinance prohibiting the willful fleeing or eluding of a law 2550  
enforcement officer ..... 6 points 2551

(3) A violation of section 4549.02 or 4549.021 of the Revised Code or any ordinance requiring the driver of a vehicle to stop and disclose identity at the scene of an accident . . . . . 6 points	2552 2553 2554 2555
(4) A violation of section 4511.251 of the Revised Code or any ordinance prohibiting street racing . . . . . 6 points	2556 2557
(5) A violation of section 4510.11, 4510.14, 4510.16, or 4510.21 of the Revised Code or any ordinance prohibiting the operation of a motor vehicle while the driver's or commercial driver's license is under suspension . . . . . 6 points	2558 2559 2560 2561
(6) A violation of division (A) of section 4511.19 of the Revised Code, any ordinance prohibiting the operation of a vehicle while under the influence of alcohol, a drug of abuse, or a combination of them, or any ordinance substantially equivalent to division (A) of section 4511.19 of the Revised Code prohibiting the operation of a vehicle with a prohibited concentration of alcohol, a controlled substance, or a metabolite of a controlled substance in the whole blood, blood serum or plasma, breath, or urine . . . . . 6 points	2562 2563 2564 2565 2566 2567 2568 2569 2570
(7) A violation of section 2913.03 of the Revised Code that does not involve an aircraft or motorboat or any ordinance prohibiting the operation of a vehicle without the consent of the owner . . . . . 6 points	2571 2572 2573 2574
(8) Any offense under the motor vehicle laws of this state that is a felony, or any other felony in the commission of which a motor vehicle was used . . . . . 6 points	2575 2576 2577
(9) A violation of division (B) of section 4511.19 of the Revised Code or any ordinance substantially equivalent to that division prohibiting the operation of a vehicle with a prohibited concentration of alcohol in the whole blood, blood serum or plasma, breath, or urine . . . . . 4 points	2578 2579 2580 2581 2582

(10) A violation of section 4511.20 of the Revised Code or any ordinance prohibiting the operation of a motor vehicle in willful or wanton disregard of the safety of persons or property .....	4 points	2583 2584 2585 2586
(11) A violation of any law or ordinance pertaining to speed:		2587
(a) Notwithstanding divisions (C)(11)(b) and (c) of this section, when the speed exceeds the lawful speed limit by thirty miles per hour or more .....	4 points	2588 2589 2590
(b) When the speed exceeds the lawful speed limit of fifty-five miles per hour or more by more than ten miles per hour .....	2 points	2591 2592 2593
(c) When the speed exceeds the lawful speed limit of less than fifty-five miles per hour by more than five miles per hour .....	2 points	2594 2595 2596
(d) When the speed does not exceed the amounts set forth in divisions (C)(11)(a), (b), or (c) of this section .....	0 points	2597 2598 2599
(12) Operating a motor vehicle in violation of a restriction imposed by the registrar .....	2 points	2600 2601
(13) All other moving violations reported under this section .....	2 points	2602 2603
(D) Upon receiving notification from the proper court, including a United States district court that has jurisdiction within this state, the bureau shall delete any points entered for a bond forfeiture if the driver is acquitted of the offense for which bond was posted.		2604 2605 2606 2607 2608
(E) If a person is convicted of or forfeits bail for two or more offenses arising out of the same facts and points are chargeable for each of the offenses, points shall be charged for only the conviction or bond forfeiture for which the greater		2609 2610 2611 2612

number of points is chargeable, and, if the number of points 2613  
chargeable for each offense is equal, only one offense shall be 2614  
recorded, and points shall be charged only for that offense. 2615

**Sec. 4510.13.** (A)(1) Divisions (A)(2) to (7) of this section 2616  
apply to a judge or ~~mayor~~ a community court magistrate regarding 2617  
the suspension of, or the grant of limited driving privileges 2618  
during a suspension of, an offender's driver's or commercial 2619  
driver's license or permit or nonresident operating privilege 2620  
imposed under division (G) or (H) of section 4511.19 of the 2621  
Revised Code, under division (B) or (C) of section 4511.191 of the 2622  
Revised Code, or under section 4510.07 of the Revised Code for a 2623  
conviction of a violation of a municipal OVI ordinance. 2624

(2) No judge ~~or mayor~~ and no community court magistrate shall 2625  
suspend the following portions of the suspension of an offender's 2626  
driver's or commercial driver's license or permit or nonresident 2627  
operating privilege imposed under division (G) or (H) of section 2628  
4511.19 of the Revised Code or under section 4510.07 of the 2629  
Revised Code for a conviction of a violation of a municipal OVI 2630  
ordinance, provided that division (A)(2) of this section does not 2631  
limit a court ~~or mayor~~ in crediting any period of suspension 2632  
imposed pursuant to division (B) or (C) of section 4511.191 of the 2633  
Revised Code against any time of judicial suspension imposed 2634  
pursuant to section 4511.19 or 4510.07 of the Revised Code, as 2635  
described in divisions (B)(2) and (C)(2) of section 4511.191 of 2636  
the Revised Code: 2637

(a) The first six months of a suspension imposed under 2638  
division (G)(1)(a) of section 4511.19 of the Revised Code or of a 2639  
comparable length suspension imposed under section 4510.07 of the 2640  
Revised Code; 2641

(b) The first year of a suspension imposed under division 2642  
(G)(1)(b) or (c) of section 4511.19 of the Revised Code or of a 2643

comparable length suspension imposed under section 4510.07 of the Revised Code;

(c) The first three years of a suspension imposed under division (G)(1)(d) or (e) of section 4511.19 of the Revised Code or of a comparable length suspension imposed under section 4510.07 of the Revised Code;

(d) The first sixty days of a suspension imposed under division (H) of section 4511.19 of the Revised Code or of a comparable length suspension imposed under section 4510.07 of the Revised Code.

(3) No judge ~~or mayor~~ and no community court magistrate shall grant limited driving privileges to an offender whose driver's or commercial driver's license or permit or nonresident operating privilege has been suspended under division (G) or (H) of section 4511.19 of the Revised Code, under division (C) of section 4511.191 of the Revised Code, or under section 4510.07 of the Revised Code for a municipal OVI conviction if the offender, within the preceding six years, has been convicted of or pleaded guilty to three or more violations of one or more of the Revised Code sections, municipal ordinances, statutes of the United States or another state, or municipal ordinances of a municipal corporation of another state that are identified in divisions (G)(2)(b) to (h) of section 2919.22 of the Revised Code.

Additionally, no judge ~~or mayor~~ and no community court magistrate shall grant limited driving privileges to an offender whose driver's or commercial driver's license or permit or nonresident operating privilege has been suspended under division (B) of section 4511.191 of the Revised Code if the offender, within the preceding six years, has refused three previous requests to consent to a chemical test of the person's whole blood, blood serum or plasma, breath, or urine to determine its alcohol content.

(4) No judge ~~or mayor~~ and no community court magistrate shall 2676  
grant limited driving privileges for employment as a driver of 2677  
commercial motor vehicles to an offender whose driver's or 2678  
commercial driver's license or permit or nonresident operating 2679  
privilege has been suspended under division (G) or (H) of section 2680  
4511.19 of the Revised Code, under division (B) or (C) of section 2681  
4511.191 of the Revised Code, or under section 4510.07 of the 2682  
Revised Code for a municipal OVI conviction if the offender is 2683  
disqualified from operating a commercial motor vehicle, or whose 2684  
license or permit has been suspended, under section 3123.58 or 2685  
4506.16 of the Revised Code. 2686

(5) No judge ~~or mayor~~ and no community court magistrate shall 2687  
grant limited driving privileges to an offender whose driver's or 2688  
commercial driver's license or permit or nonresident operating 2689  
privilege has been suspended under division (G) or (H) of section 2690  
4511.19 of the Revised Code, under division (C) of section 2691  
4511.191 of the Revised Code, or under section 4510.07 of the 2692  
Revised Code for a conviction of a violation of a municipal OVI 2693  
ordinance during any of the following periods of time: 2694

(a) The first fifteen days of a suspension imposed under 2695  
division (G)(1)(a) of section 4511.19 of the Revised Code or a 2696  
comparable length suspension imposed under section 4510.07 of the 2697  
Revised Code, or of a suspension imposed under division (C)(1)(a) 2698  
of section 4511.191 of the Revised Code. On or after the sixteenth 2699  
day of the suspension, the court may grant limited driving 2700  
privileges, but the court may require that the offender shall not 2701  
exercise the privileges unless the vehicles the offender operates 2702  
are equipped with immobilizing or disabling devices that monitor 2703  
the offender's alcohol consumption or any other type of 2704  
immobilizing or disabling devices, except as provided in division 2705  
(C) of section 4510.43 of the Revised Code. 2706

(b) The first thirty days of a suspension imposed under 2707

division (G)(1)(b) of section 4511.19 of the Revised Code or a 2708  
comparable length suspension imposed under section 4510.07 of the 2709  
Revised Code, or of a suspension imposed under division (C)(1)(b) 2710  
of section 4511.191 of the Revised Code. On or after the 2711  
thirty-first day of suspension, the court may grant limited 2712  
driving privileges, but the court may require that the offender 2713  
shall not exercise the privileges unless the vehicles the offender 2714  
operates are equipped with immobilizing or disabling devices that 2715  
monitor the offender's alcohol consumption or any other type of 2716  
immobilizing or disabling devices, except as provided in division 2717  
(C) of section 4510.43 of the Revised Code. 2718

(c) The first sixty days of a suspension imposed under 2719  
division (H) of section 4511.19 of the Revised Code or a 2720  
comparable length suspension imposed under section 4510.07 of the 2721  
Revised Code. 2722

(d) The first one hundred eighty days of a suspension imposed 2723  
under division (G)(1)(c) of section 4511.19 of the Revised Code or 2724  
a comparable length suspension imposed under section 4510.07 of 2725  
the Revised Code, or of a suspension imposed under division 2726  
(C)(1)(c) of section 4511.191 of the Revised Code. The judge or 2727  
magistrate may grant limited driving privileges on or after the 2728  
one hundred eighty-first day of the suspension only if the judge, 2729  
at the time of granting the privileges, also issues an order 2730  
prohibiting the offender, while exercising the privileges during 2731  
the period commencing with the one hundred eighty-first day of 2732  
suspension and ending with the first year of suspension, from 2733  
operating any motor vehicle unless it is equipped with an 2734  
immobilizing or disabling device that monitors the offender's 2735  
alcohol consumption. After the first year of the suspension, the 2736  
court may authorize the offender to continue exercising the 2737  
privileges in vehicles that are not equipped with immobilizing or 2738  
disabling devices that monitor the offender's alcohol consumption, 2739

except as provided in division (C) of section 4510.43 of the Revised Code. If the offender does not petition for limited driving privileges until after the first year of suspension, the judge or magistrate may grant limited driving privileges without requiring the use of an immobilizing or disabling device that monitors the offender's alcohol consumption.

(e) The first three years of a suspension imposed under division (G)(1)(d) or (e) of section 4511.19 of the Revised Code or a comparable length suspension imposed under section 4510.07 of the Revised Code, or of a suspension imposed under division (C)(1)(d) of section 4511.191 of the Revised Code. The judge or magistrate may grant limited driving privileges after the first three years of suspension only if the judge or magistrate, at the time of granting the privileges, also issues an order prohibiting the offender from operating any motor vehicle, for the period of suspension following the first three years of suspension, unless the motor vehicle is equipped with an immobilizing or disabling device that monitors the offender's alcohol consumption, except as provided in division (C) of section 4510.43 of the Revised Code.

(6) No judge ~~or mayor~~ and no community court magistrate shall grant limited driving privileges to an offender whose driver's or commercial driver's license or permit or nonresident operating privilege has been suspended under division (B) of section 4511.191 of the Revised Code during any of the following periods of time:

(a) The first thirty days of suspension imposed under division (B)(1)(a) of section 4511.191 of the Revised Code;

(b) The first ninety days of suspension imposed under division (B)(1)(b) of section 4511.191 of the Revised Code;

(c) The first year of suspension imposed under division (B)(1)(c) of section 4511.191 of the Revised Code;

(d) The first three years of suspension imposed under 2771  
division (B)(1)(d) of section 4511.191 of the Revised Code. 2772

(7) In any case in which a judge or ~~mayer~~ a community court 2773  
magistrate grants limited driving privileges to an offender whose 2774  
driver's or commercial driver's license or permit or nonresident 2775  
operating privilege has been suspended under division (G)(1)(b), 2776  
(c), (d), or (e) of section 4511.19 of the Revised Code, under 2777  
division (G)(1)(a) of section 4511.19 of the Revised Code for a 2778  
violation of division (A)(1)(f), (g), (h), or (i) of that section, 2779  
or under section 4510.07 of the Revised Code for a municipal OVI 2780  
conviction for which sentence would have been imposed under 2781  
division (G)(1)(a)(ii) or (G)(1)(b), (c), (d), or (e) of section 2782  
4511.19 of the Revised Code had the offender been charged with and 2783  
convicted of a violation of section 4511.19 of the Revised Code 2784  
instead of a violation of the municipal OVI ordinance, the judge 2785  
or ~~mayer~~ magistrate shall impose as a condition of the privileges 2786  
that the offender must display on the vehicle that is driven 2787  
subject to the privileges restricted license plates that are 2788  
issued under section 4503.231 of the Revised Code, except as 2789  
provided in division (B) of that section. 2790

(B) Any person whose driver's or commercial driver's license 2791  
or permit or nonresident operating privilege has been suspended 2792  
pursuant to section 4511.19 or 4511.191 of the Revised Code or 2793  
under section 4510.07 of the Revised Code for a violation of a 2794  
municipal OVI ordinance may file a petition for limited driving 2795  
privileges during the suspension. The person shall file the 2796  
petition in the court that has jurisdiction over the place of 2797  
arrest. Subject to division (A) of this section, the court may 2798  
grant the person limited driving privileges during the period 2799  
during which the suspension otherwise would be imposed. However, 2800  
the court shall not grant the privileges for employment as a 2801  
driver of a commercial motor vehicle to any person who is 2802

disqualified from operating a commercial motor vehicle under 2803  
section 4506.16 of the Revised Code or during any of the periods 2804  
prescribed by division (A) of this section. 2805

(C)(1) After a driver's or commercial driver's license or 2806  
permit or nonresident operating privilege has been suspended 2807  
pursuant to section 2903.06, 2903.08, 2903.11, 2907.24, 2921.331, 2808  
2923.02, 2929.02, 4511.19, 4511.251, 4549.02, 4549.021, or 5743.99 2809  
of the Revised Code, any provision of Chapter 2925. of the Revised 2810  
Code, or section 4510.07 of the Revised Code for a violation of a 2811  
municipal OVI ordinance, the judge of the court or ~~mayer~~ 2812  
magistrate of the ~~mayer's~~ community court that suspended the 2813  
license, permit, or privilege shall cause the offender to deliver 2814  
to the court the license or permit. The judge, ~~mayer~~ magistrate, 2815  
or clerk of the court ~~or mayer's court~~ shall forward to the 2816  
registrar the license or permit together with notice of the action 2817  
of the court. 2818

(2) A suspension of a commercial driver's license under any 2819  
section or chapter identified in division (C)(1) of this section 2820  
shall be concurrent with any period of suspension or 2821  
disqualification under section 3123.58 or 4506.16 of the Revised 2822  
Code. No person who is disqualified for life from holding a 2823  
commercial driver's license under section 4506.16 of the Revised 2824  
Code shall be issued a driver's license under this chapter during 2825  
the period for which the commercial driver's license was suspended 2826  
under this section, and no person whose commercial driver's 2827  
license is suspended under any section or chapter identified in 2828  
division (C)(1) of this section shall be issued a driver's license 2829  
under Chapter 4507. of the Revised Code during the period of the 2830  
suspension. 2831

(3) No judge ~~or mayer~~ and no community court magistrate shall 2832  
suspend any class one suspension, or any portion of any class one 2833  
suspension, imposed under section 2903.04, 2903.06, 2903.08, or 2834

2921.331 of the Revised Code. No judge or mayor shall suspend the 2835  
first thirty days of any class two, class three, class four, class 2836  
five, or class six suspension imposed under section 2903.06, 2837  
2903.08, 2903.11, 2923.02, or 2929.02 of the Revised Code. 2838

(D) The judge of the court or ~~mayor~~ magistrate of the ~~mayor's~~ 2839  
community court shall credit any time during which an offender was 2840  
subject to an administrative suspension of the offender's driver's 2841  
or commercial driver's license or permit or nonresident operating 2842  
privilege imposed pursuant to section 4511.191 or 4511.192 of the 2843  
Revised Code or a suspension imposed by a judge, referee, or ~~mayor~~ 2844  
magistrate pursuant to division (B)(1) or (2) of section 4511.196 2845  
of the Revised Code against the time to be served under a related 2846  
suspension imposed pursuant to any section or chapter identified 2847  
in division (C)(1) of this section. 2848

(E) The judge or ~~mayor~~ magistrate shall notify the bureau of 2849  
motor vehicles of any determinations made pursuant to this section 2850  
and of any suspension imposed pursuant to any section or chapter 2851  
identified in division (C)(1) of this section. 2852

(F)(1) If a court issues an immobilizing or disabling device 2853  
order under section 4510.43 of the Revised Code, the order shall 2854  
authorize the offender during the specified period to operate a 2855  
motor vehicle only if it is equipped with an immobilizing or 2856  
disabling device, except as provided in division (C) of that 2857  
section. The court shall provide the offender with a copy of an 2858  
immobilizing or disabling device order issued under section 2859  
4510.43 of the Revised Code, and the offender shall use the copy 2860  
of the order in lieu of an Ohio driver's or commercial driver's 2861  
license or permit until the registrar or a deputy registrar issues 2862  
the offender a restricted license. 2863

An order issued under section 4510.43 of the Revised Code 2864  
does not authorize or permit the offender to whom it has been 2865  
issued to operate a vehicle during any time that the offender's 2866

driver's or commercial driver's license or permit is suspended 2867  
under any other provision of law. 2868

(2) An offender may present an immobilizing or disabling 2869  
device order to the registrar or to a deputy registrar. Upon 2870  
presentation of the order to the registrar or a deputy registrar, 2871  
the registrar or deputy registrar shall issue the offender a 2872  
restricted license. A restricted license issued under this 2873  
division shall be identical to an Ohio driver's license, except 2874  
that it shall have printed on its face a statement that the 2875  
offender is prohibited during the period specified in the court 2876  
order from operating any motor vehicle that is not equipped with 2877  
an immobilizing or disabling device. The date of commencement and 2878  
the date of termination of the period of suspension shall be 2879  
indicated conspicuously upon the face of the license. 2880

**Sec. 4510.14.** (A) No person whose driver's or commercial 2881  
driver's license or permit or nonresident operating privilege has 2882  
been suspended under section 4511.19, 4511.191, or 4511.196 of the 2883  
Revised Code or under section 4510.07 of the Revised Code for a 2884  
conviction of a violation of a municipal OVI ordinance shall 2885  
operate any motor vehicle upon the public roads or highways within 2886  
this state during the period of the suspension. 2887

(B) Whoever violates this section is guilty of driving under 2888  
OVI suspension. The court shall sentence the offender under 2889  
Chapter 2929. of the Revised Code, subject to the differences 2890  
authorized or required by this section. 2891

(1) Except as otherwise provided in division (B)(2) or (3) of 2892  
this section, driving under OVI suspension is a misdemeanor of the 2893  
first degree. The court shall sentence the offender to all of the 2894  
following: 2895

(a) A mandatory jail term of three consecutive days. The 2896  
three-day term shall be imposed, unless, subject to division (C) 2897

of this section, the court instead imposes a sentence of not less 2898  
than thirty consecutive days of house arrest with electronic 2899  
monitoring. A period of house arrest with electronic monitoring 2900  
imposed under this division shall not exceed six months. If the 2901  
court imposes a mandatory three-day jail term under this division, 2902  
the court may impose a jail term in addition to that term, 2903  
provided that in no case shall the cumulative jail term imposed 2904  
for the offense exceed six months. 2905

(b) A fine of not less than two hundred fifty and not more 2906  
than one thousand dollars; 2907

(c) A license suspension under division (E) of this section; 2908

(d) If the vehicle the offender was operating at the time of 2909  
the offense is registered in the offender's name, immobilization 2910  
for thirty days of the offender's vehicle and impoundment for 2911  
thirty days of the identification license plates of that vehicle. 2912  
The order for immobilization and impoundment shall be issued and 2913  
enforced in accordance with section 4503.233 of the Revised Code. 2914

(2) If, within six years of the offense, the offender 2915  
previously has been convicted of or pleaded guilty to one 2916  
violation of this section or one equivalent offense, driving under 2917  
OVI suspension is a misdemeanor of the first degree. The court 2918  
shall sentence the offender to all of the following: 2919

(a) A mandatory jail term of ten consecutive days. 2920  
Notwithstanding the jail terms provided in sections 2929.21 to 2921  
2929.28 of the Revised Code, the court may sentence the offender 2922  
to a longer jail term of not more than one year. The ten-day 2923  
mandatory jail term shall be imposed unless, subject to division 2924  
(C) of this section, the court instead imposes a sentence of not 2925  
less than ninety consecutive days of house arrest with electronic 2926  
monitoring. The period of house arrest with electronic monitoring 2927  
shall not exceed one year. 2928

(b) Notwithstanding the fines provided for in Chapter 2929. 2929  
of the Revised Code, a fine of not less than five hundred and not 2930  
more than two thousand five hundred dollars; 2931

(c) A license suspension under division (E) of this section; 2932

(d) If the vehicle the offender was operating at the time of 2933  
the offense is registered in the offender's name, immobilization 2934  
of the offender's vehicle for sixty days and the impoundment for 2935  
sixty days of the identification license plates of that vehicle. 2936  
The order for immobilization and impoundment shall be issued and 2937  
enforced in accordance with section 4503.233 of the Revised Code. 2938

(3) If, within six years of the offense, the offender 2939  
previously has been convicted of or pleaded guilty to two or more 2940  
violations of this section or two or more equivalent offenses, 2941  
driving under OVI suspension is a misdemeanor. The court shall 2942  
sentence the offender to all of the following: 2943

(a) A mandatory jail term of thirty consecutive days. 2944  
Notwithstanding the jail terms provided in sections 2929.21 to 2945  
2929.28 of the Revised Code, the court may sentence the offender 2946  
to a longer jail term of not more than one year. The court shall 2947  
not sentence the offender to a term of house arrest with 2948  
electronic monitoring in lieu of the mandatory portion of the jail 2949  
term. 2950

(b) Notwithstanding the fines set forth in Chapter 2929. of 2951  
the Revised Code, a fine of not less than five hundred and not 2952  
more than two thousand five hundred dollars; 2953

(c) A license suspension under division (E) of this section; 2954

(d) If the vehicle the offender was operating at the time of 2955  
the offense is registered in the offender's name, criminal 2956  
forfeiture to the state of the offender's vehicle. The order of 2957  
criminal forfeiture shall be issued and enforced in accordance 2958  
with section 4503.234 of the Revised Code. If title to a motor 2959

vehicle that is subject to an order for criminal forfeiture under 2960  
this division is assigned or transferred and division (B)(2) or 2961  
(3) of section 4503.234 of the Revised Code applies, the court may 2962  
fine the offender the value of the vehicle as determined by 2963  
publications of the national auto dealer's association. The 2964  
proceeds from any fine so imposed shall be distributed in 2965  
accordance with division (C)(2) of section 4503.234 of the Revised 2966  
Code. 2967

(C) No court shall impose an alternative sentence of house 2968  
arrest with electronic monitoring under division (B)(1) or (2) of 2969  
this section unless, within sixty days of the date of sentencing, 2970  
the court issues a written finding on the record that, due to the 2971  
unavailability of space at the jail where the offender is required 2972  
to serve the jail term imposed, the offender will not be able to 2973  
begin serving that term within the sixty-day period following the 2974  
date of sentencing. 2975

An offender sentenced under this section to a period of house 2976  
arrest with electronic monitoring shall be permitted work release 2977  
during that period. 2978

(D) Fifty per cent of any fine imposed by a court under 2979  
division (B)(1), (2), or (3) of this section shall be deposited 2980  
into the county indigent drivers alcohol treatment fund or 2981  
municipal indigent drivers alcohol treatment fund under the 2982  
control of that court, as created by the county or municipal 2983  
corporation pursuant to division (H) of section 4511.191 of the 2984  
Revised Code. 2985

(E) In addition to or independent of all other penalties 2986  
provided by law or ordinance, the trial judge of any court ~~of~~ 2987  
~~record~~ or the ~~mayer~~ magistrate of a ~~mayer's~~ community court shall 2988  
impose on an offender who is convicted of or pleads guilty to a 2989  
violation of this section a class seven suspension of the 2990  
offender's driver's or commercial driver's license or permit or 2991

nonresident operating privilege from the range specified in 2992  
division (A)(7) of section 4510.02 of the Revised Code. 2993

When permitted as specified in section 4510.021 of the 2994  
Revised Code, if the court grants limited driving privileges 2995  
during a suspension imposed under this section, the privileges 2996  
shall be granted on the additional condition that the offender 2997  
must display restricted license plates, issued under section 2998  
4503.231 of the Revised Code, on the vehicle driven subject to the 2999  
privileges, except as provided in division (B) of that section. 3000

A suspension of a commercial driver's license under this 3001  
section shall be concurrent with any period of suspension or 3002  
disqualification under section 3123.58 or 4506.16 of the Revised 3003  
Code. No person who is disqualified for life from holding a 3004  
commercial driver's license under section 4506.16 of the Revised 3005  
Code shall be issued a driver's license under Chapter 4507. of the 3006  
Revised Code during the period for which the commercial driver's 3007  
license was suspended under this section, and no person whose 3008  
commercial driver's license is suspended under this section shall 3009  
be issued a driver's license under Chapter 4507. of the Revised 3010  
Code during the period of the suspension. 3011

(F) As used in this section: 3012

(1) "Electronic monitoring" has the same meaning as in 3013  
section 2929.01 of the Revised Code. 3014

(2) "Equivalent offense" means any of the following: 3015

(a) A violation of a municipal ordinance, law of another 3016  
state, or law of the United States that is substantially 3017  
equivalent to division (A) of this section; 3018

(b) A violation of a former law of this state that was 3019  
substantially equivalent to division (A) of this section. 3020

(3) "Jail" has the same meaning as in section 2929.01 of the 3021

Revised Code. 3022

(4) "Mandatory jail term" means the mandatory term in jail of 3023  
three, ten, or thirty consecutive days that must be imposed under 3024  
division (B)(1), (2), or (3) of this section upon an offender 3025  
convicted of a violation of division (A) of this section and in 3026  
relation to which all of the following apply: 3027

(a) Except as specifically authorized under this section, the 3028  
term must be served in a jail. 3029

(b) Except as specifically authorized under this section, the 3030  
term cannot be suspended, reduced, or otherwise modified pursuant 3031  
to any provision of the Revised Code. 3032

**Sec. 4510.53.** (A) Upon receipt of any driver's or commercial 3033  
driver's license or permit that has been suspended under section 3034  
4511.19 or 4511.191 of the Revised Code, the registrar of motor 3035  
vehicles, notwithstanding any other provision of law that purports 3036  
to require the registrar to retain the license or permit, may 3037  
destroy the license or permit. 3038

(B)(1) Subject to division (B)(2) of this section, if a 3039  
driver's or commercial driver's license or permit that has been 3040  
suspended under section 4511.19 or 4511.191 of the Revised Code is 3041  
delivered to the registrar and if the registrar destroys the 3042  
license or permit under authority of division (A) of this section, 3043  
the registrar shall reissue or authorize the reissuance of a 3044  
driver's or commercial driver's license to the person, free of 3045  
payment of any type of fee or charge, if either of the following 3046  
applies: 3047

(a) The person appeals the suspension of the license or 3048  
permit at or within thirty days of the person's initial 3049  
appearance, pursuant to section 4511.197 of the Revised Code, the 3050  
judge of the court ~~of record~~ or the ~~mayer~~ magistrate of the 3051

~~mayer's~~ community court who conducts the initial appearance 3052  
terminates the suspension, and the judge or ~~mayer~~ magistrate does 3053  
not suspend the license or permit under section 4511.196 of the 3054  
Revised Code; 3055

(b) The person appeals the suspension of the license or 3056  
permit at or within thirty days of the person's initial 3057  
appearance, pursuant to section 4511.197 of the Revised Code, the 3058  
judge of the court of record or the ~~mayer~~ magistrate of the 3059  
~~mayer's~~ community court who conducts the initial appearance does 3060  
not terminate the suspension, the person appeals the judge's or 3061  
mayer's decision not to terminate the suspension that is made at 3062  
the initial appearance, and upon appeal of the decision, the 3063  
suspension is terminated. 3064

(2) Division (B)(1) of this section applies only if the 3065  
driver's or commercial driver's license that was destroyed would 3066  
have been valid at the time in question, if it had not been 3067  
destroyed as permitted by division (A) of this section. 3068

(C) A driver's or commercial driver's license or permit 3069  
issued to a person pursuant to division (B)(1) of this section 3070  
shall bear the same expiration date as the expiration date that 3071  
appeared on the license it replaces. 3072

**Sec. 4511.193.** (A) ~~Twenty-five~~ Subject to division (F)(2) of 3073  
section 1901.31 of the Revised Code, twenty-five dollars of any 3074  
fine imposed for a violation of a municipal OVI ordinance shall be 3075  
deposited into the municipal or county indigent drivers alcohol 3076  
treatment fund created pursuant to division (H) of section 3077  
4511.191 of the Revised Code in accordance with this section and 3078  
section 733.40, divisions (A) and (B) of section 1901.024, 3079  
division (F) of section 1901.31, or division (C) of section 3080  
1907.20 of the Revised Code. Regardless of whether the fine is 3081  
imposed by a municipal court, a ~~mayer's~~ community court, or a 3082

juvenile court, if the fine was imposed for a violation of an 3083  
ordinance of a municipal corporation that is within the 3084  
jurisdiction of a municipal court, the twenty-five dollars that is 3085  
subject to this section shall be deposited into the indigent 3086  
drivers alcohol treatment fund of the municipal corporation in 3087  
which is located the municipal court that has jurisdiction over 3088  
that municipal corporation. Regardless of whether the fine is 3089  
imposed by a county court, a ~~mayer's~~ community court, or a 3090  
juvenile court, if the fine was imposed for a violation of an 3091  
ordinance of a municipal corporation that is within the 3092  
jurisdiction of a county court, the twenty-five dollars that is 3093  
subject to this section shall be deposited into the indigent 3094  
drivers alcohol treatment fund of the county in which is located 3095  
the county court that has jurisdiction over that municipal 3096  
corporation. The deposit shall be made in accordance with section 3097  
733.40, divisions (A) and (B) of section 1901.024, division (F) of 3098  
section 1901.31, or division (C) of section 1907.20 of the Revised 3099  
Code. 3100

(B)(1) The requirements and sanctions imposed by divisions 3101  
(B)(1) and (2) of this section are an adjunct to and derive from 3102  
the state's exclusive authority over the registration and titling 3103  
of motor vehicles and do not comprise a part of the criminal 3104  
sentence to be imposed upon a person who violates a municipal OVI 3105  
ordinance. 3106

(2) If a person is convicted of or pleads guilty to a 3107  
violation of a municipal OVI ordinance, if the vehicle the 3108  
offender was operating at the time of the offense is registered in 3109  
the offender's name, and if, within six years of the current 3110  
offense, the offender has been convicted of or pleaded guilty to 3111  
one or more violations of division (A) or (B) of section 4511.19 3112  
of the Revised Code or one or more other equivalent offenses, the 3113  
court, in addition to and independent of any sentence that it 3114

imposes upon the offender for the offense, shall do whichever of 3115  
the following is applicable: 3116

(a) Except as otherwise provided in division (B)(2)(b) of 3117  
this section, if, within six years of the current offense, the 3118  
offender has been convicted of or pleaded guilty to one violation 3119  
described in division (B)(2) of this section, the court shall 3120  
order the immobilization for ninety days of that vehicle and the 3121  
impoundment for ninety days of the license plates of that vehicle. 3122  
The order for the immobilization and impoundment shall be issued 3123  
and enforced in accordance with section 4503.233 of the Revised 3124  
Code. 3125

(b) If, within six years of the current offense, the offender 3126  
has been convicted of or pleaded guilty to two or more violations 3127  
described in division (B)(2) of this section, or if the offender 3128  
previously has been convicted of or pleaded guilty to a violation 3129  
of division (A) of section 4511.19 of the Revised Code under 3130  
circumstances in which the violation was a felony and regardless 3131  
of when the violation and the conviction or guilty plea occurred, 3132  
the court shall order the criminal forfeiture to the state of that 3133  
vehicle. The order of criminal forfeiture shall be issued and 3134  
enforced in accordance with section 4503.234 of the Revised Code. 3135

**Sec. 4511.197.** (A) If a person is arrested for operating a 3136  
vehicle, streetcar, or trackless trolley in violation of division 3137  
(A) or (B) of section 4511.19 of the Revised Code or a municipal 3138  
OVI ordinance or for being in physical control of a vehicle, 3139  
streetcar, or trackless trolley in violation of section 4511.194 3140  
of the Revised Code or a substantially equivalent municipal 3141  
ordinance and if the person's driver's or commercial driver's 3142  
license or permit or nonresident operating privilege is suspended 3143  
under section 4511.191 of the Revised Code, the person may appeal 3144  
the suspension at the person's initial appearance on the charge 3145

resulting from the arrest or within the period ending thirty days 3146  
after the person's initial appearance on that charge, in the court 3147  
in which the person will appear on that charge. If the person 3148  
appeals the suspension, the appeal itself does not stay the 3149  
operation of the suspension. If the person appeals the suspension, 3150  
either the person or the registrar of motor vehicles may request a 3151  
continuance of the appeal, and the court may grant the 3152  
continuance. The court also may continue the appeal on its own 3153  
motion. Neither the request for, nor the granting of, a 3154  
continuance stays the suspension that is the subject of the 3155  
appeal, unless the court specifically grants a stay. 3156

(B) A person shall file an appeal under division (A) of this 3157  
section in the municipal court, county court, juvenile court, 3158  
~~mayer's~~ community court, or court of common pleas that has 3159  
jurisdiction over the charge in relation to which the person was 3160  
arrested. 3161

(C) If a person appeals a suspension under division (A) of 3162  
this section, the scope of the appeal is limited to determining 3163  
whether one or more of the following conditions have not been met: 3164

(1) Whether the arresting law enforcement officer had 3165  
reasonable ground to believe the arrested person was operating a 3166  
vehicle, streetcar, or trackless trolley in violation of division 3167  
(A) or (B) of section 4511.19 of the Revised Code or a municipal 3168  
OVI ordinance or was in physical control of a vehicle, streetcar, 3169  
or trackless trolley in violation of section 4511.194 of the 3170  
Revised Code or a substantially equivalent municipal ordinance and 3171  
whether the arrested person was in fact placed under arrest; 3172

(2) Whether the law enforcement officer requested the 3173  
arrested person to submit to the chemical test or tests designated 3174  
pursuant to division (A) of section 4511.191 of the Revised Code; 3175

(3) Whether the arresting officer informed the arrested 3176

person of the consequences of refusing to be tested or of 3177  
submitting to the test or tests; 3178

(4) Whichever of the following is applicable: 3179

(a) Whether the arrested person refused to submit to the 3180  
chemical test or tests requested by the officer; 3181

(b) Whether the arrest was for a violation of division (A) or 3182  
(B) of section 4511.19 of the Revised Code or a municipal OVI 3183  
ordinance and, if it was, whether the chemical test results 3184  
indicate that the arrested person's whole blood contained a 3185  
concentration of eight-hundredths of one per cent or more by 3186  
weight of alcohol, the person's blood serum or plasma contained a 3187  
concentration of ninety-six-thousandths of one per cent or more by 3188  
weight of alcohol, the person's breath contained a concentration 3189  
of eight-hundredths of one gram or more by weight of alcohol per 3190  
two hundred ten liters of the person's breath, or the person's 3191  
urine contained a concentration of eleven-hundredths of one gram 3192  
or more by weight of alcohol per one hundred milliliters of the 3193  
person's urine at the time of the alleged offense. 3194

(D) A person who appeals a suspension under division (A) of 3195  
this section has the burden of proving, by a preponderance of the 3196  
evidence, that one or more of the conditions specified in division 3197  
(C) of this section has not been met. If, during the appeal, the 3198  
judge or magistrate of the court ~~or the mayor of the mayor's court~~ 3199  
determines that all of those conditions have been met, the judge, 3200  
or magistrate, ~~or mayor~~ shall uphold the suspension, continue the 3201  
suspension, and notify the registrar of motor vehicles of the 3202  
decision on a form approved by the registrar. 3203

Except as otherwise provided in this section, if a suspension 3204  
imposed under section 4511.191 of the Revised Code is upheld on 3205  
appeal or if the subject person does not appeal the suspension 3206  
under division (A) of this section, the suspension shall continue 3207

until the complaint alleging the violation for which the person 3208  
was arrested and in relation to which the suspension was imposed 3209  
is adjudicated on the merits or terminated pursuant to law. If the 3210  
suspension was imposed under division (B)(1) of section 4511.191 3211  
of the Revised Code and it is continued under this section, any 3212  
subsequent finding that the person is not guilty of the charge 3213  
that resulted in the person being requested to take the chemical 3214  
test or tests under division (A) of section 4511.191 of the 3215  
Revised Code does not terminate or otherwise affect the 3216  
suspension. If the suspension was imposed under division (C) of 3217  
section 4511.191 of the Revised Code in relation to an alleged 3218  
misdemeanor violation of division (A) or (B) of section 4511.19 of 3219  
the Revised Code or of a municipal OVI ordinance and it is 3220  
continued under this section, the suspension shall terminate if, 3221  
for any reason, the person subsequently is found not guilty of the 3222  
charge that resulted in the person taking the chemical test or 3223  
tests. 3224

If, during the appeal, the judge or magistrate of the trial 3225  
court ~~or the mayor of the mayor's court~~ determines that one or 3226  
more of the conditions specified in division (C) of this section 3227  
have not been met, the judge, or magistrate, ~~or mayor~~ shall 3228  
terminate the suspension, subject to the imposition of a new 3229  
suspension under division (B) of section 4511.196 of the Revised 3230  
Code; shall notify the registrar of motor vehicles of the decision 3231  
on a form approved by the registrar; and, except as provided in 3232  
division (B) of section 4511.196 of the Revised Code, shall order 3233  
the registrar to return the driver's or commercial driver's 3234  
license or permit to the person or to take any other measures that 3235  
may be necessary, if the license or permit was destroyed under 3236  
section 4510.53 of the Revised Code, to permit the person to 3237  
obtain a replacement driver's or commercial driver's license or 3238  
permit from the registrar or a deputy registrar in accordance with 3239  
that section. The court also shall issue to the person a court 3240

order, valid for not more than ten days from the date of issuance, 3241  
granting the person operating privileges for that period. 3242

(E) Any person whose driver's or commercial driver's license 3243  
or permit or nonresident operating privilege has been suspended 3244  
pursuant to section 4511.191 of the Revised Code may file a 3245  
petition requesting limited driving privileges in the common pleas 3246  
court, municipal court, county court, ~~mayer's~~ community court, or 3247  
juvenile court with jurisdiction over the related criminal or 3248  
delinquency case. The petition may be filed at any time subsequent 3249  
to the date on which the arresting law enforcement officer serves 3250  
the notice of suspension upon the arrested person but no later 3251  
than thirty days after the arrested person's initial appearance or 3252  
arraignment. Upon the making of the request, limited driving 3253  
privileges may be granted under sections 4510.021 and 4510.13 of 3254  
the Revised Code, regardless of whether the person appeals the 3255  
suspension under this section or appeals the decision of the court 3256  
on the appeal, and, if the person has so appealed the suspension 3257  
or decision, regardless of whether the matter has been heard or 3258  
decided by the court. The person shall pay the costs of the 3259  
proceeding, notify the registrar of the filing of the petition, 3260  
and send the registrar a copy of the petition. 3261

The court may not grant the person limited driving privileges 3262  
when prohibited by section 4510.13 or 4511.191 of the Revised 3263  
Code. 3264

(F) Any person whose driver's or commercial driver's license 3265  
or permit has been suspended under section 4511.19 of the Revised 3266  
Code or under section 4510.07 of the Revised Code for a conviction 3267  
of a municipal OVI offense and who desires to retain the license 3268  
or permit during the pendency of an appeal, at the time sentence 3269  
is pronounced, shall notify the court ~~of record or mayer's court~~ 3270  
that suspended the license or permit of the person's intention to 3271  
appeal. If the person so notifies the court, the court, ~~mayer,~~ or 3272

clerk of the court shall retain the license or permit until the 3273  
appeal is perfected, and, if execution of sentence is stayed, the 3274  
license or permit shall be returned to the person to be held by 3275  
the person during the pendency of the appeal. If the appeal is not 3276  
perfected or is dismissed or terminated in an affirmance of the 3277  
conviction, then the license or permit shall be taken up by the 3278  
court, ~~mayor~~, or clerk, at the time of putting the sentence into 3279  
execution, and the court shall proceed in the same manner as if no 3280  
appeal was taken. 3281

(G) Except as otherwise provided in this division, if a 3282  
person whose driver's or commercial driver's license or permit or 3283  
nonresident operating privilege was suspended under section 3284  
4511.191 of the Revised Code appeals the suspension under division 3285  
(A) of this section, the prosecuting attorney of the county in 3286  
which the arrest occurred shall represent the registrar of motor 3287  
vehicles in the appeal. If the arrest occurred within a municipal 3288  
corporation within the jurisdiction of the court in which the 3289  
appeal is conducted, the city director of law, village solicitor, 3290  
or other chief legal officer of that municipal corporation shall 3291  
represent the registrar. If the appeal is conducted in a municipal 3292  
court, the registrar shall be represented as provided in section 3293  
1901.34 of the Revised Code. If the appeal is conducted in a 3294  
~~mayor's~~ community court, the city director of law, village 3295  
solicitor, or other chief legal officer of the municipal 3296  
corporation that operates that ~~mayor's~~ community court shall 3297  
represent the registrar. 3298

(H) The court shall give information in writing of any action 3299  
taken under this section to the registrar of motor vehicles. 3300

(I) When it finally has been determined under the procedures 3301  
of this section that a nonresident's privilege to operate a 3302  
vehicle within this state has been suspended, the registrar of 3303  
motor vehicles shall give information in writing of the action 3304

taken to the motor vehicle administrator of the state of the 3305  
nonresident's residence and of any state in which the nonresident 3306  
has a license. 3307

**Sec. 4513.263.** (A) As used in this section and in section 3308  
4513.99 of the Revised Code: 3309

(1) "Automobile" means any commercial tractor, passenger car, 3310  
commercial car, or truck that is required to be factory-equipped 3311  
with an occupant restraining device for the operator or any 3312  
passenger by regulations adopted by the United States secretary of 3313  
transportation pursuant to the "National Traffic and Motor Vehicle 3314  
Safety Act of 1966," 80 Stat. 719, 15 U.S.C.A. 1392. 3315

(2) "Occupant restraining device" means a seat safety belt, 3316  
shoulder belt, harness, or other safety device for restraining a 3317  
person who is an operator of or passenger in an automobile and 3318  
that satisfies the minimum federal vehicle safety standards 3319  
established by the United States department of transportation. 3320

(3) "Passenger" means any person in an automobile, other than 3321  
its operator, who is occupying a seating position for which an 3322  
occupant restraining device is provided. 3323

(4) "Commercial tractor," "passenger car," and "commercial 3324  
car" have the same meanings as in section 4501.01 of the Revised 3325  
Code. 3326

(5) "Vehicle" and "motor vehicle," as used in the definitions 3327  
of the terms set forth in division (A)(4) of this section, have 3328  
the same meanings as in section 4511.01 of the Revised Code. 3329

(6) "Tort action" means a civil action for damages for 3330  
injury, death, or loss to person or property. "Tort action" 3331  
includes a product liability claim, as defined in section 2307.71 3332  
of the Revised Code, and an asbestos claim, as defined in section 3333  
2307.91 of the Revised Code, but does not include a civil action 3334

for damages for breach of contract or another agreement between 3335  
persons. 3336

(B) No person shall do any of the following: 3337

(1) Operate an automobile on any street or highway unless 3338  
that person is wearing all of the available elements of a properly 3339  
adjusted occupant restraining device, or operate a school bus that 3340  
has an occupant restraining device installed for use in its 3341  
operator's seat unless that person is wearing all of the available 3342  
elements of the device, as properly adjusted; 3343

(2) Operate an automobile on any street or highway unless 3344  
each passenger in the automobile who is subject to the requirement 3345  
set forth in division (B)(3) of this section is wearing all of the 3346  
available elements of a properly adjusted occupant restraining 3347  
device; 3348

(3) Occupy, as a passenger, a seating position on the front 3349  
seat of an automobile being operated on any street or highway 3350  
unless that person is wearing all of the available elements of a 3351  
properly adjusted occupant restraining device; 3352

(4) Operate a taxicab on any street or highway unless all 3353  
factory-equipped occupant restraining devices in the taxicab are 3354  
maintained in usable form. 3355

(C) Division (B)(3) of this section does not apply to a 3356  
person who is required by section 4511.81 of the Revised Code to 3357  
be secured in a child restraint device. Division (B)(1) of this 3358  
section does not apply to a person who is an employee of the 3359  
United States postal service or of a newspaper home delivery 3360  
service, during any period in which the person is engaged in the 3361  
operation of an automobile to deliver mail or newspapers to 3362  
addressees. Divisions (B)(1) and (3) of this section do not apply 3363  
to a person who has an affidavit signed by a physician licensed to 3364  
practice in this state under Chapter 4731. of the Revised Code or 3365

a chiropractor licensed to practice in this state under Chapter 3366  
4734. of the Revised Code that states that the person has a 3367  
physical impairment that makes use of an occupant restraining 3368  
device impossible or impractical. 3369

(D) Notwithstanding any provision of law to the contrary, no 3370  
law enforcement officer shall cause an operator of an automobile 3371  
being operated on any street or highway to stop the automobile for 3372  
the sole purpose of determining whether a violation of division 3373  
(B) of this section has been or is being committed or for the sole 3374  
purpose of issuing a ticket, citation, or summons for a violation 3375  
of that nature or causing the arrest of or commencing a 3376  
prosecution of a person for a violation of that nature, and no law 3377  
enforcement officer shall view the interior or visually inspect 3378  
any automobile being operated on any street or highway for the 3379  
sole purpose of determining whether a violation of that nature has 3380  
been or is being committed. 3381

(E) ~~All~~ Subject to division (F)(2) of section 1901.31 of the 3382  
Revised Code, all fines collected for violations of division (B) 3383  
of this section, or for violations of any ordinance or resolution 3384  
of a political subdivision that is substantively comparable to 3385  
that division, shall be forwarded to the treasurer of state for 3386  
deposit as follows: 3387

(1) Eight per cent shall be deposited into the seat belt 3388  
education fund, which is hereby created in the state treasury, and 3389  
shall be used by the department of public safety to establish a 3390  
seat belt education program. 3391

(2) Eight per cent shall be deposited into the elementary 3392  
school program fund, which is hereby created in the state 3393  
treasury, and shall be used by the department of public safety to 3394  
establish and administer elementary school programs that encourage 3395  
seat safety belt use. 3396

(3) Two per cent shall be deposited into the Ohio medical transportation trust fund created by section 4766.05 of the Revised Code.

(4) Twenty-eight per cent shall be deposited into the trauma and emergency medical services fund, which is hereby created in the state treasury, and shall be used by the department of public safety for the administration of the division of emergency medical services and the state board of emergency medical services.

(5) Fifty-four per cent shall be deposited into the trauma and emergency medical services grants fund, which is hereby created in the state treasury, and shall be used by the state board of emergency medical services to make grants, in accordance with section 4765.07 of the Revised Code and rules the board adopts under section 4765.11 of the Revised Code.

(F)(1) Subject to division (F)(2) of this section, the failure of a person to wear all of the available elements of a properly adjusted occupant restraining device in violation of division (B)(1) or (3) of this section or the failure of a person to ensure that each minor who is a passenger of an automobile being operated by that person is wearing all of the available elements of a properly adjusted occupant restraining device in violation of division (B)(2) of this section shall not be considered or used by the trier of fact in a tort action as evidence of negligence or contributory negligence. But, the trier of fact may determine based on evidence admitted consistent with the Ohio ~~rules~~ Rules of ~~evidence~~ Evidence that the failure contributed to the harm alleged in the tort action and may diminish a recovery of compensatory damages that represents noneconomic loss, as defined in section 2307.011 of the Revised Code, in a tort action that could have been recovered but for the plaintiff's failure to wear all of the available elements of a properly adjusted occupant restraining device. Evidence of that

failure shall not be used as a basis for a criminal prosecution of 3429  
the person other than a prosecution for a violation of this 3430  
section; and shall not be admissible as evidence in a criminal 3431  
action involving the person other than a prosecution for a 3432  
violation of this section. 3433

(2) If, at the time of an accident involving a passenger car 3434  
equipped with occupant restraining devices, any occupant of the 3435  
passenger car who sustained injury or death was not wearing an 3436  
available occupant restraining device, was not wearing all of the 3437  
available elements of such a device, or was not wearing such a 3438  
device as properly adjusted, then, consistent with the Rules of 3439  
Evidence, the fact that the occupant was not wearing the available 3440  
occupant restraining device, was not wearing all of the available 3441  
elements of such a device, or was not wearing such a device as 3442  
properly adjusted is admissible in evidence in relation to any 3443  
claim for relief in a tort action to the extent that the claim for 3444  
relief satisfies all of the following: 3445

(a) It seeks to recover damages for injury or death to the 3446  
occupant. 3447

(b) The defendant in question is the manufacturer, designer, 3448  
distributor, or seller of the passenger car. 3449

(c) The claim for relief against the defendant in question is 3450  
that the injury or death sustained by the occupant was enhanced or 3451  
aggravated by some design defect in the passenger car or that the 3452  
passenger car was not crashworthy. 3453

(G)(1) Whoever violates division (B)(1) of this section shall 3454  
be fined thirty dollars. 3455

(2) Whoever violates division (B)(3) of this section shall be 3456  
fined twenty dollars. 3457

(3) Except as otherwise provided in this division, whoever 3458  
violates division (B)(4) of this section is guilty of a minor 3459

misdemeanor. If the offender previously has been convicted of or  
pleaded guilty to a violation of division (B)(4) of this section,  
whoever violates division (B)(4) of this section is guilty of a  
misdemeanor of the third degree.

**Sec. 4521.01.** As used in this chapter:

(A) "Parking infraction" means a violation of any ordinance,  
resolution, or regulation enacted by a local authority that  
regulates the standing or parking of vehicles and that is  
authorized pursuant to section 505.17 or 4511.07 of the Revised  
Code, or a violation of any ordinance, resolution, or regulation  
enacted by a local authority as authorized by this chapter, if the  
local authority in either of these cases also has enacted an  
ordinance, resolution, or regulation of the type described in  
division (A) of section 4521.02 of the Revised Code in relation to  
the particular regulatory ordinance, resolution, or regulation.

(B) "Vehicle" has the same meaning as in section 4511.01 of  
the Revised Code.

(C) "Court" means a municipal court, county court, juvenile  
court, or ~~mayer's~~ community court, unless specifically identified  
as one of these courts, in which case it means the specifically  
identified court.

(D) "Local authority" means every county, municipal  
corporation, township, or other local board or body having  
authority to adopt police regulations pursuant to the constitution  
and laws of this state.

(E) "Disability parking space" means a motor vehicle parking  
location that is reserved for the exclusive standing or parking of  
a vehicle that is operated by or on behalf of a person with a  
disability that limits or impairs the ability to walk and displays  
a placard or license plates issued under section 4503.44 of the

Revised Code.	3490
(F) "Person with a disability that limits or impairs the ability to walk" has the same meaning as in section 4503.44 of the Revised Code.	3491 3492 3493
<b>Sec. 5502.61.</b> As used in sections 5502.61 to 5502.66 of the Revised Code:	3494 3495
(A) "Federal criminal justice acts" means any federal law that authorizes financial assistance and other forms of assistance to be given by the federal government to the states to be used for the improvement of the criminal and juvenile justice systems of the states.	3496 3497 3498 3499 3500
(B)(1) "Criminal justice system" includes all of the functions of the following:	3501 3502
(a) The state highway patrol, county sheriff offices, municipal and township police departments, and all other law enforcement agencies;	3503 3504 3505
(b) The courts of appeals, courts of common pleas, municipal courts, county courts, and <del>mayer's</del> <u>community</u> courts, when dealing with criminal cases;	3506 3507 3508
(c) The prosecuting attorneys, city directors of law, village solicitors, and other prosecuting authorities when prosecuting or otherwise handling criminal cases, and the county and joint county public defenders and other public defender agencies or offices;	3509 3510 3511 3512
(d) The department of rehabilitation and correction, probation departments, county and municipal jails and workhouses, and any other department, agency, or facility that is concerned with the rehabilitation or correction of criminal offenders;	3513 3514 3515 3516
(e) Any public or private agency whose purposes include the prevention of crime or the diversion, adjudication, detention, or rehabilitation of criminal offenders;	3517 3518 3519

(f) Any public or private agency, the purposes of which 3520  
include assistance to crime victims or witnesses. 3521

(2) The inclusion of any public or private agency, the 3522  
purposes of which include assistance to crime victims or 3523  
witnesses, as part of the criminal justice system pursuant to 3524  
division (B)(1) of this section does not limit, and shall not be 3525  
construed as limiting, the discretion or authority of the attorney 3526  
general with respect to crime victim assistance and criminal 3527  
justice programs. 3528

(C) "Juvenile justice system" includes all of the functions 3529  
of the juvenile courts, the department of youth services, any 3530  
public or private agency whose purposes include the prevention of 3531  
delinquency or the diversion, adjudication, detention, or 3532  
rehabilitation of delinquent children, and any of the functions of 3533  
the criminal justice system that are applicable to children. 3534

(D) "Comprehensive plan" means a document that coordinates, 3535  
evaluates, and otherwise assists, on an annual or multi-year 3536  
basis, any of the functions of the criminal and juvenile justice 3537  
systems of the state or a specified area of the state, that 3538  
conforms to the priorities of the state with respect to criminal 3539  
and juvenile justice systems, and that conforms with the 3540  
requirements of all federal criminal justice acts. These functions 3541  
may include, but are not limited to, any of the following: 3542

(1) Crime and delinquency prevention; 3543

(2) Identification, detection, apprehension, and detention of 3544  
persons charged with criminal offenses or delinquent acts; 3545

(3) Assistance to crime victims or witnesses, except that the 3546  
comprehensive plan does not include the functions of the attorney 3547  
general pursuant to sections 109.91 and 109.92 of the Revised 3548  
Code; 3549

(4) Adjudication or diversion of persons charged with 3550

criminal offenses or delinquent acts; 3551

(5) Custodial treatment of criminal offenders, delinquent 3552  
children, or both; 3553

(6) Institutional and noninstitutional rehabilitation of 3554  
criminal offenders, delinquent children, or both. 3555

(E) "Metropolitan county criminal justice services agency" 3556  
means an agency that is established pursuant to division (A) of 3557  
section 5502.64 of the Revised Code. 3558

(F) "Administrative planning district" means a district that 3559  
is established pursuant to division (A) or (B) of section 5502.66 3560  
of the Revised Code. 3561

(G) "Criminal justice coordinating council" means a criminal 3562  
justice services agency that is established pursuant to division 3563  
(D) of section 5502.66 of the Revised Code. 3564

(H) "Local elected official" means any person who is a member 3565  
of a board of county commissioners or township trustees or of a 3566  
city or village council, judge of the court of common pleas, a 3567  
municipal court, or a county court, sheriff, county coroner, 3568  
prosecuting attorney, city director of law, village solicitor, or 3569  
mayor. 3570

(I) "Juvenile justice coordinating council" means a juvenile 3571  
justice services agency that is established pursuant to division 3572  
(D) of section 5502.66 of the Revised Code. 3573

(J) "Mcgruff house program" means a program in which 3574  
individuals or families volunteer to have their homes or other 3575  
buildings serve as places of temporary refuge for children and to 3576  
display the mcgruff house symbol identifying the home or building 3577  
as that type of place. 3578

(K) "Mcgruff house symbol" means the symbol that is 3579  
characterized by the image of "mcgruff," the crime dog, and the 3580

slogan "take a bite out of crime," and that has been adopted by 3581  
the national crime prevention council as the symbol of its 3582  
national citizens' crime prevention campaign. 3583

(L) "Sponsoring agency" means any of the following: 3584

(1) The board of education of any city, local, or exempted 3585  
village school district; 3586

(2) The governing board of any educational service center; 3587

(3) The governing authority of any chartered nonpublic 3588  
school; 3589

(4) The police department of any municipal corporation, 3590  
township, township police district, or joint township police 3591  
district; 3592

(5) The office of any township constable or county sheriff. 3593

**Sec. 5503.04.** ~~Forty-five~~ Subject to division (F)(2) of 3594  
section 1901.31 of the Revised Code, forty-five per cent of the 3595  
fines collected from or moneys arising from bail forfeited by 3596  
persons apprehended or arrested by state highway patrol troopers 3597  
shall be paid into the state treasury to be credited to the 3598  
general revenue fund, five per cent shall be paid into the state 3599  
treasury to be credited to the trauma and emergency medical 3600  
services grants fund created by division (E) of section 4513.263 3601  
of the Revised Code, and fifty per cent shall be paid into the 3602  
treasury of the municipal corporation where the case is 3603  
prosecuted, if in a ~~mayer's~~ community court. If the prosecution is 3604  
in a trial court outside a municipal corporation, or outside the 3605  
territorial jurisdiction of a municipal court, the fifty per cent 3606  
of the fines and moneys that is not paid into the state treasury 3607  
shall be paid into the treasury of the county where the case is 3608  
prosecuted. The fines and moneys paid into a county treasury and 3609  
the fines and moneys paid into the treasury of a municipal 3610

corporation shall be deposited one-half to the same fund and 3611  
expended in the same manner as is the revenue received from the 3612  
registration of motor vehicles, and one-half to the general fund 3613  
of such county or municipal corporation. 3614

If the prosecution is in a municipal court, forty-five per 3615  
cent of the fines and moneys shall be paid into the state treasury 3616  
to be credited to the general revenue fund, five per cent shall be 3617  
paid into the state treasury to be credited to the trauma and 3618  
emergency medical services grants fund created by division (E) of 3619  
section 4513.263 of the Revised Code, ten per cent shall be paid 3620  
into the county treasury to be credited to the general fund of the 3621  
county, and forty per cent shall be paid into the municipal 3622  
treasury to be credited to the general fund of the municipal 3623  
corporation. In the Auglaize county, Clermont county, Crawford 3624  
county, Hocking county, Jackson county, Lawrence county, Madison 3625  
county, Miami county, Ottawa county, Portage county, and Wayne 3626  
county municipal courts, that portion of money otherwise paid into 3627  
the municipal treasury shall be paid into the county treasury. 3628

The trial court shall make remittance of the fines and moneys 3629  
as prescribed in this section, and at the same time as the 3630  
remittance is made of the state's portion to the state treasury, 3631  
the trial court shall notify the superintendent of the state 3632  
highway patrol of the case and the amount covered by the 3633  
remittance. 3634

This section does not apply to fines for violations of 3635  
division (B) of section 4513.263 of the Revised Code, or for 3636  
violations of any municipal ordinance that is substantively 3637  
comparable to that division, all of which, subject to division 3638  
(F)(2) of section 1901.31 of the Revised Code, shall be delivered 3639  
to the treasurer of state as provided in division (E) of section 3640  
4513.263 of the Revised Code. 3641

**Section 2.** That existing sections 705.14, 705.55, 733.40, 3642  
733.44, 733.51, 733.52, 753.02, 753.021, 955.99, 1901.021, 3643  
1901.024, 1901.04, 1901.11, 1901.181, 1901.31, 1905.29, 2335.06, 3644  
2903.212, 2921.25, 2931.01, 2933.02, 2933.03, 2933.04, 2933.05, 3645  
2933.06, 2933.10, 2937.08, 2938.04, 2953.03, 2953.07, 3375.50, 3646  
4503.13, 4503.233, 4507.091, 4507.164, 4509.33, 4509.35, 4510.03, 3647  
4510.031, 4510.036, 4510.13, 4510.14, 4510.53, 4511.193, 4511.197, 3648  
4513.263, 4521.01, 5502.61, and 5503.04 and sections 341.33, 3649  
1905.01, 1905.02, 1905.03, 1905.031, 1905.032, 1905.033, 1905.04, 3650  
1905.05, 1905.08, 1905.17, 1905.20, 1905.201, 1905.21, 1905.22, 3651  
1905.23, 1905.24, 1905.25, 1905.26, 1905.28, 1905.30, 1905.31, 3652  
1905.32, 1905.34, 1905.35, 1905.36, 1905.37, 2933.07, 2933.08, and 3653  
2933.09 of the Revised Code are hereby repealed. 3654

**Section 3.** Sections 1 and 2 of this act, except for sections 3655  
1905.41 and 1905.42 of the Revised Code, shall take effect on 3656  
January 1, 2008. 3657

**Section 4.** (A) Effective January 1, 2008, all mayor's courts 3658  
are abolished. 3659

(B) All causes, executions, and other proceedings pending in 3660  
a mayor's court at the close of business on December 31, 2007, 3661  
shall be transferred to and proceed in the appropriate municipal 3662  
court, county court, or community court pursuant to sections 3663  
1905.41 and 1905.42 of the Revised Code on January 1, 2008, as if 3664  
originally instituted in that court. Parties to those causes, 3665  
executions, and proceedings may make any amendments to their 3666  
pleadings that are required to conform them to the rules of 3667  
transferee court. The clerk or other custodian of each mayor's 3668  
court shall transfer to the appropriate municipal, county, or 3669  
community court all pleadings, orders, entries, dockets, bonds, 3670  
papers, records, books, exhibits, files, moneys, property, and 3671

persons that belong to, are in the possession of, or are subject 3672  
to the jurisdiction of the mayor's court, or any officer of that 3673  
court, at the close of business on December 31, 2007, and that 3674  
pertain to those causes, executions, and proceedings. 3675

**Section 5.** Section 2953.07 of the Revised Code is presented 3676  
in this act as a composite of the section as amended by both Am. 3677  
Sub. S.B. 2 and Am. Sub. S.B. 4 of the 121st General Assembly. 3678  
Section 4503.13 of the Revised Code is presented in this act as a 3679  
composite of the section as amended by Am. Sub. H.B. 490 of the 3680  
124th General Assembly and Am. Sub. H.B. 230 of the 125th General 3681  
Assembly. Section 4503.233 of the Revised Code is presented in 3682  
this act as a composite of the section as amended by both Sub. 3683  
H.B. 241 and Am. Sub. H.B. 461 of the 126th General Assembly. The 3684  
General Assembly, applying the principle stated in division (B) of 3685  
section 1.52 of the Revised Code that amendments are to be 3686  
harmonized if reasonably capable of simultaneous operation, finds 3687  
that the composites are the resulting versions of the sections in 3688  
effect prior to the effective date of the sections as presented in 3689  
this act. 3690