

As Introduced

132nd General Assembly

Regular Session

2017-2018

H. B. No. 125

Representatives Craig, Seitz

**Cosponsors: Representatives West, Leland, Young, Retherford, Sheehy,
Patterson, Smith, K., Antonio, Celebrezze, Bocchieri, Cera, O'Brien, Howse, Boggs,
Ashford, Sykes, Rogers, Boyd**

A BILL

To amend sections 1901.20 and 1907.02 and to enact 1
section 4511.072 of the Revised Code to specify 2
the jurisdiction of municipal and county courts 3
over municipal traffic ordinances and to 4
establish requirements governing fines, fees, or 5
other charges for traffic violations and 6
infractions imposed by a municipal corporation 7
that does not have the authority to establish a 8
mayor's court. 9

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

Section 1. That sections 1901.20 and 1907.02 be amended 10
and section 4511.072 of the Revised Code be enacted to read as 11
follows: 12

Sec. 1901.20. (A) (1) The municipal court has jurisdiction 13
to hear misdemeanor cases committed within its territory and has 14
jurisdiction over the violation of any nontraffic related 15
ordinance of any municipal corporation within its territory. 16

(2) The municipal court has exclusive jurisdiction over 17
all violations or infractions of every traffic ordinance of each 18
municipal corporation within the territory of the court unless: 19

(a) The mayor of the municipal corporation has 20
jurisdiction over the violation or infraction pursuant to 21
section 1905.01 of the Revised Code~~7. unless~~ 22

~~the~~ (b) The violation is a civil violation based upon 23
evidence recorded by a traffic law photo-monitoring device and a 24
ticket is issued pursuant to division (B) (3) of section 4511.093 25
of the Revised Code ~~or the~~. 26

~~violation is required to be handled by a parking~~ 27
~~violations bureau or joint parking violations bureau pursuant to~~ 28
~~Chapter 4521. of the Revised Code. However, the~~ (3) The 29
municipal court has jurisdiction over the violation of a vehicle 30
parking or standing resolution or regulation if a local 31
authority, as defined in division (D) of section 4521.01 of the 32
Revised Code, has specified that it is not to be considered a 33
criminal offense, if the violation is committed within the 34
limits of the court's territory, and if the violation is not 35
required to be handled by a parking violations bureau or joint 36
parking violations bureau pursuant to Chapter 4521. of the 37
Revised Code. However, a municipal court does not have 38
jurisdiction over a violation required to be handled by a 39
parking violations bureau or joint parking violations bureau 40
pursuant to Chapter 4521. of the Revised Code. 41

(4) The municipal court, if it has a housing or 42
environmental division, has jurisdiction over any criminal 43
action over which the housing or environmental division is given 44
jurisdiction by section 1901.181 of the Revised Code, provided 45
that, except as specified in division (B) of that section, no 46

judge of the court other than the judge of the division shall 47
hear or determine any action over which the division has 48
jurisdiction. In all such prosecutions and cases, the court 49
shall proceed to a final determination of the prosecution or 50
case. 51

~~(2)~~~~(B)~~ A judge of a municipal court does not have the 52
authority to dismiss a criminal complaint, charge, information, 53
or indictment solely at the request of the complaining witness 54
and over the objection of the prosecuting attorney, village 55
solicitor, city director of law, or other chief legal officer 56
who is responsible for the prosecution of the case. 57

~~(B)~~~~(C)~~ The municipal court has jurisdiction to hear 58
felony cases committed within its territory. In all felony 59
cases, the court may conduct preliminary hearings and other 60
necessary hearings prior to the indictment of the defendant or 61
prior to the court's finding that there is probable and 62
reasonable cause to hold or recognize the defendant to appear 63
before a court of common pleas and may discharge, recognize, or 64
commit the defendant. 65

~~(C)~~~~(D)~~ (1) A municipal court has jurisdiction over an 66
appeal from a judgment or default judgment entered pursuant to 67
Chapter 4521. of the Revised Code, as authorized by division (D) 68
of section 4521.08 of the Revised Code. The appeal shall be 69
placed on the regular docket of the court and shall be 70
determined by a judge of the court. 71

(2) A municipal court has jurisdiction over an appeal of a 72
written decision rendered by a hearing officer under section 73
4511.099 of the Revised Code if the hearing officer that 74
rendered the decision was appointed by a local authority within 75
the jurisdiction of the court. 76

Sec. 1907.02. (A) (1) In addition to other jurisdiction 77
granted a county court in the Revised Code, a county court has 78
jurisdiction of all misdemeanor cases. A county court has 79
jurisdiction to conduct preliminary hearings in felony cases, to 80
bind over alleged felons to the court of common pleas, and to 81
take other action in felony cases as authorized by Criminal Rule 82
5. 83

(2) A judge of a county court does not have the authority 84
to dismiss a criminal complaint, charge, information, or 85
indictment solely at the request of the complaining witness and 86
over the objection of the prosecuting attorney, village 87
solicitor, city director of law, or other chief legal officer 88
who is responsible for the prosecution of the case. 89

(B) A county court has jurisdiction of the violation of a 90
vehicle parking or standing ordinance, resolution, or regulation 91
if a local authority, as defined in division (D) of section 92
4521.01 of the Revised Code, has specified that it is not to be 93
considered a criminal offense, if the violation is committed 94
within the limits of the court's territory, and if the violation 95
is not required to be handled by a parking violations bureau or 96
joint parking violations bureau pursuant to Chapter 4521. of the 97
Revised Code. A county court does not have jurisdiction over 98
violations of ordinances, resolutions, or regulations that are 99
required to be handled by a parking violations bureau or joint 100
parking violations bureau pursuant to that chapter. 101

A county court also has jurisdiction of an appeal from a 102
judgment or default judgment entered pursuant to Chapter 4521. 103
of the Revised Code, as authorized by division (D) of section 104
4521.08 of the Revised Code. Any such appeal shall be placed on 105
the regular docket of the court and shall be determined by a 106

judge of the court. 107

(C) A county court has jurisdiction over an appeal of a 108
written decision rendered by a hearing officer under section 109
4511.099 of the Revised Code if the hearing officer that 110
rendered the decision was appointed by a local authority within 111
the jurisdiction of the court. 112

(D) Except as provided in division (B) of this section, a 113
county court has exclusive jurisdiction over all violations or 114
infractions of every traffic ordinance within the territory of 115
the court, unless the violation or infraction is a civil 116
violation based upon evidence recorded by a traffic law photo- 117
monitoring device and a ticket is issued pursuant to division 118
(B) (3) of section 4511.093 of the Revised Code or the mayor of a 119
municipal corporation has jurisdiction over the violation or 120
infraction pursuant to section 1905.01 of the Revised Code. 121

Sec. 4511.072. (A) A municipal corporation that does not 122
have the authority to establish a mayor's court under section 123
1905.01 of the Revised Code shall not impose a fine, fee, or 124
other charge for a traffic violation or infraction that exceeds 125
the applicable fine, fee, or other charge for the substantially 126
equivalent state violation established pursuant to Traffic Rule 127
13(C) by the municipal or county court having territorial 128
jurisdiction over the location of the violation or infraction. 129

(B) A municipal corporation that does not have the 130
authority to establish a mayor's court under section 1905.01 of 131
the Revised Code shall not charge a fine, fee, or other charge 132
for a traffic violation or infraction that is not included in 133
the schedule of fines for state violations established pursuant 134
to Traffic Rule 13(C) by the municipal or county court having 135
territorial jurisdiction over the location of the violation or 136

infraction.

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Section 2. That existing sections 1901.20 and 1907.02 of
the Revised Code are hereby repealed.

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