

**As Passed by the House**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**Am. H. B. No. 410**

**Representatives Seitz, Butler**

**Cosponsors: Representatives Brinkman, Merrin, Hood, Becker, Brenner, Wiggam, Lang, Retherford, Patton, Blessing, Vitale, Dever, DeVitis, Green, Hambley, Henne, Keller, Koehler, Lipps, Roegner, Schaffer, Smith, R., Stein**

---

**A BILL**

To amend sections 1901.18, 1901.20, 1907.02, 1  
1907.031, 4511.092, 4511.093, 4511.096, 2  
4511.097, 4511.098, 4511.0910, 5747.51, and 3  
5747.53, to enact new sections 4511.099 and 4  
5747.502, and to repeal sections 4511.099, 5  
4511.0915, and 5747.502 of the Revised Code to 6  
grant municipal and county courts original and 7  
exclusive jurisdiction over any civil action 8  
concerning a traffic law violation, to specify 9  
that the court require an advance deposit for 10  
the filing of specified civil actions by the 11  
local authority bringing the civil action, and 12  
to modify the reporting requirements and LGF 13  
withholding that apply to subdivisions that 14  
operate traffic law photo-monitoring devices. 15

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

**Section 1.** That sections 1901.18, 1901.20, 1907.02, 16  
1907.031, 4511.092, 4511.093, 4511.096, 4511.097, 4511.098, 17

4511.0910, 5747.51, and 5747.53 be amended and new sections 18  
4511.099 and 5747.502 of the Revised Code be enacted to read as 19  
follows: 20

**Sec. 1901.18.** (A) Except as otherwise provided in this 21  
division or section 1901.181 of the Revised Code, subject to the 22  
monetary jurisdiction of municipal courts as set forth in 23  
section 1901.17 of the Revised Code, a municipal court has 24  
original jurisdiction within its territory in all of the 25  
following actions or proceedings and to perform all of the 26  
following functions: 27

(1) In any civil action, of whatever nature or remedy, of 28  
which judges of county courts have jurisdiction; 29

(2) In any action or proceeding at law for the recovery of 30  
money or personal property of which the court of common pleas 31  
has jurisdiction; 32

(3) In any action at law based on contract, to determine, 33  
preserve, and enforce all legal and equitable rights involved in 34  
the contract, to decree an accounting, reformation, or 35  
cancellation of the contract, and to hear and determine all 36  
legal and equitable remedies necessary or proper for a complete 37  
determination of the rights of the parties to the contract; 38

(4) In any action or proceeding for the sale of personal 39  
property under chattel mortgage, lien, encumbrance, or other 40  
charge, for the foreclosure and marshalling of liens on personal 41  
property of that nature, and for the rendering of personal 42  
judgment in the action or proceeding; 43

(5) In any action or proceeding to enforce the collection 44  
of its own judgments or the judgments rendered by any court 45  
within the territory to which the municipal court has succeeded, 46

and to subject the interest of a judgment debtor in personal 47  
property to satisfy judgments enforceable by the municipal 48  
court; 49

(6) In any action or proceeding in the nature of 50  
interpleader; 51

(7) In any action of replevin; 52

(8) In any action of forcible entry and detainer; 53

(9) In any action concerning the issuance and enforcement 54  
of temporary protection orders pursuant to section 2919.26 of 55  
the Revised Code or protection orders pursuant to section 56  
2903.213 of the Revised Code or the enforcement of protection 57  
orders issued by courts of another state, as defined in section 58  
2919.27 of the Revised Code; 59

(10) If the municipal court has a housing or environmental 60  
division, in any action over which the division is given 61  
jurisdiction by section 1901.181 of the Revised Code, provided 62  
that, except as specified in division (B) of that section, no 63  
judge of the court other than the judge of the division shall 64  
hear or determine any action over which the division has 65  
jurisdiction; 66

(11) In any action brought pursuant to division (I) of 67  
section 4781.40 of the Revised Code, if the residential premises 68  
that are the subject of the action are located within the 69  
territorial jurisdiction of the court; 70

(12) In any civil action as described in division (B) (1) 71  
of section 3767.41 of the Revised Code that relates to a public 72  
nuisance, and, to the extent any provision of this chapter 73  
conflicts or is inconsistent with a provision of that section, 74  
the provision of that section shall control in the civil action; 75

(13) In a proceeding brought pursuant to section 955.222 76  
of the Revised Code by the owner of a dog that has been 77  
designated as a nuisance dog, dangerous dog, or vicious dog; 78

(14) In every civil action concerning a violation of a 79  
state traffic law or a municipal traffic ordinance. 80

(B) The Cleveland municipal court also shall have 81  
jurisdiction within its territory in all of the following 82  
actions or proceedings and to perform all of the following 83  
functions: 84

(1) In all actions and proceedings for the sale of real 85  
property under lien of a judgment of the municipal court or a 86  
lien for machinery, material, or fuel furnished or labor 87  
performed, irrespective of amount, and, in those actions and 88  
proceedings, the court may proceed to foreclose and marshal all 89  
liens and all vested or contingent rights, to appoint a 90  
receiver, and to render personal judgment irrespective of amount 91  
in favor of any party. 92

(2) In all actions for the foreclosure of a mortgage on 93  
real property given to secure the payment of money or the 94  
enforcement of a specific lien for money or other encumbrance or 95  
charge on real property, when the amount claimed by the 96  
plaintiff does not exceed fifteen thousand dollars and the real 97  
property is situated within the territory, and, in those 98  
actions, the court may proceed to foreclose all liens and all 99  
vested and contingent rights and may proceed to render judgments 100  
and make findings and orders between the parties in the same 101  
manner and to the same extent as in similar actions in the court 102  
of common pleas. 103

(3) In all actions for the recovery of real property 104

situated within the territory to the same extent as courts of 105  
common pleas have jurisdiction; 106

(4) In all actions for injunction to prevent or terminate 107  
violations of the ordinances and regulations of the city of 108  
Cleveland enacted or promulgated under the police power of the 109  
city of Cleveland, pursuant to Section 3 of Article XVIII, Ohio 110  
Constitution, over which the court of common pleas has or may 111  
have jurisdiction, and, in those actions, the court may proceed 112  
to render judgments and make findings and orders in the same 113  
manner and to the same extent as in similar actions in the court 114  
of common pleas. 115

(C) As used in this section, "violation of a state traffic 116  
law or a municipal traffic ordinance" has the same meaning as in 117  
section 1901.20 of the Revised Code. 118

**Sec. 1901.20.** (A) (1) The municipal court has jurisdiction 119  
to hear misdemeanor cases committed within its territory and has 120  
jurisdiction over the violation of any ordinance of any 121  
municipal corporation within its territory, ~~unless the violation~~ 122  
~~is a~~ including exclusive jurisdiction over every civil action 123  
concerning a violation based upon evidence recorded by a traffic 124  
~~law photo-monitoring device and issued pursuant to division (B)~~ 125  
~~(3) of section 4511.093 of the Revised Code or the~~ of a state 126  
traffic law or a municipal traffic ordinance. The municipal 127  
court does not have jurisdiction over a violation that is 128  
required to be handled by a parking violations bureau or joint 129  
parking violations bureau pursuant to Chapter 4521. of the 130  
Revised Code. However, the municipal court has jurisdiction over 131  
the violation of a vehicle parking or standing resolution or 132  
regulation if a local authority, as defined in division (D) of 133  
section 4521.01 of the Revised Code, has specified that it is 134

not to be considered a criminal offense, if the violation is 135  
committed within the limits of the court's territory, and if the 136  
violation is not required to be handled by a parking violations 137  
bureau or joint parking violations bureau pursuant to Chapter 138  
4521. of the Revised Code. 139

The municipal court, if it has a housing or environmental 140  
division, has jurisdiction over any criminal action over which 141  
the housing or environmental division is given jurisdiction by 142  
section 1901.181 of the Revised Code, provided that, except as 143  
specified in division (B) of that section, no judge of the court 144  
other than the judge of the division shall hear or determine any 145  
action over which the division has jurisdiction. In all such 146  
prosecutions and cases, the court shall proceed to a final 147  
determination of the prosecution or case. 148

(2) A judge of a municipal court does not have the 149  
authority to dismiss a criminal complaint, charge, information, 150  
or indictment solely at the request of the complaining witness 151  
and over the objection of the prosecuting attorney, village 152  
solicitor, city director of law, or other chief legal officer 153  
who is responsible for the prosecution of the case. 154

(B) The municipal court has jurisdiction to hear felony 155  
cases committed within its territory. In all felony cases, the 156  
court may conduct preliminary hearings and other necessary 157  
hearings prior to the indictment of the defendant or prior to 158  
the court's finding that there is probable and reasonable cause 159  
to hold or recognize the defendant to appear before a court of 160  
common pleas and may discharge, recognize, or commit the 161  
defendant. 162

(C) ~~(1)~~ A municipal court has jurisdiction over an appeal 163  
from a judgment or default judgment entered pursuant to Chapter 164

4521. of the Revised Code, as authorized by division (D) of 165  
section 4521.08 of the Revised Code. The appeal shall be placed 166  
on the regular docket of the court and shall be determined by a 167  
judge of the court. 168

~~(2) A municipal court has jurisdiction over an appeal of a 169  
written decision rendered by a hearing officer under section 170  
4511.099 of the Revised Code if the hearing officer that 171  
rendered the decision was appointed by a local authority within 172  
the jurisdiction of the court. 173~~

(D) As used in this section, "violation of a state traffic 174  
law or a municipal traffic ordinance" includes, but is not 175  
limited to, a traffic law violation recorded by a traffic law 176  
photo-monitoring device, as defined in section 4511.092 of the 177  
Revised Code. 178

**Sec. 1907.02.** (A) (1) In addition to other jurisdiction 179  
granted a county court in the Revised Code, a county court has 180  
jurisdiction of all misdemeanor cases. A county court has 181  
jurisdiction to conduct preliminary hearings in felony cases, to 182  
bind over alleged felons to the court of common pleas, and to 183  
take other action in felony cases as authorized by Criminal Rule 184  
5. 185

(2) A judge of a county court does not have the authority 186  
to dismiss a criminal complaint, charge, information, or 187  
indictment solely at the request of the complaining witness and 188  
over the objection of the prosecuting attorney, village 189  
solicitor, city director of law, or other chief legal officer 190  
who is responsible for the prosecution of the case. 191

(B) A county court has jurisdiction of the violation of a 192  
vehicle parking or standing ordinance, resolution, or regulation 193

if a local authority, as defined in division (D) of section 194  
4521.01 of the Revised Code, has specified that it is not to be 195  
considered a criminal offense, if the violation is committed 196  
within the limits of the court's territory, and if the violation 197  
is not required to be handled by a parking violations bureau or 198  
joint parking violations bureau pursuant to Chapter 4521. of the 199  
Revised Code. A county court does not have jurisdiction over 200  
violations of ordinances, resolutions, or regulations that are 201  
required to be handled by a parking violations bureau or joint 202  
parking violations bureau pursuant to that chapter. 203

A county court also has jurisdiction of an appeal from a 204  
judgment or default judgment entered pursuant to Chapter 4521. 205  
of the Revised Code, as authorized by division (D) of section 206  
4521.08 of the Revised Code. Any such appeal shall be placed on 207  
the regular docket of the court and shall be determined by a 208  
judge of the court. 209

(C) A county court has exclusive jurisdiction over an 210  
appeal of a written decision rendered by a hearing officer under 211  
section 4511.099 of the Revised Code if the hearing officer that 212  
rendered the decision was appointed by a local authority within 213  
the jurisdiction of the court every civil action concerning a 214  
violation of a state traffic law or a municipal traffic 215  
ordinance, if the violation is committed within the limits of 216  
the court's territory. 217

(D) As used in this section, "violation of a state traffic 218  
law or a municipal traffic ordinance" has the same meaning as in 219  
section 1901.20 of the Revised Code. 220

**Sec. 1907.031.** (A) Except as otherwise provided in section 221  
1907.03 of the Revised Code and in addition to the jurisdiction 222  
authorized in other sections of this chapter and in section 223



1909.11 of the Revised Code, a county court has original	224
jurisdiction within its district in all of the following actions	225
or proceedings and to perform all of the following functions:	226
(1) In an action or proceeding at law for the recovery of	227
money or personal property of which the court of common pleas	228
has jurisdiction;	229
(2) In an action at law based on contract, to determine,	230
preserve, and enforce all legal and equitable rights involved in	231
the contract, to decree an accounting, reformation, or	232
cancellation of the contract, and to hear and determine all	233
legal and equitable remedies necessary or proper for a complete	234
determination of the rights of the parties to the contract;	235
(3) In an action or proceeding for the sale of personal	236
property under chattel mortgage, lien, encumbrance, or other	237
charge, for the foreclosure and marshalling of liens on the	238
personal property, and for the rendering of personal judgment in	239
the action or proceeding;	240
(4) In an action or proceeding to enforce the collection	241
of its own judgments and to subject the interest of a judgment	242
debtor in personal property to satisfy judgments enforceable by	243
the county court;	244
(5) In an action or proceeding in the nature of	245
interpleader;	246
(6) In an action of forcible entry and detainer;	247
(7) In a proceeding brought pursuant to section 955.222 of	248
the Revised Code by the owner of a dog that has been designated	249
as a nuisance dog, dangerous dog, or vicious dog;	250
<u>(8) In every civil action or proceeding concerning a</u>	251

violation of a state traffic law or a municipal traffic ordinance. 252  
253

(B) A county court has original jurisdiction in civil actions as described in division (B)(1) of section 3767.41 of the Revised Code that relate to a public nuisance. To the extent any provision of this chapter conflicts or is inconsistent with a provision of that section, the provision of that section shall control in such a civil action. 254  
255  
256  
257  
258  
259

(C) As used in this section, "violation of a state traffic law or a municipal traffic ordinance" has the same meaning as in section 1901.20 of the Revised Code. 260  
261  
262

**Sec. 4511.092.** As used in sections 4511.092 to 4511.0914 of the Revised Code: 263  
264

(A) "Designated party" means the person whom the registered owner of a motor vehicle, upon receipt of a ticket based upon images recorded by a traffic law photo-monitoring device that indicate a traffic law violation, identifies as the person who was operating the vehicle of the registered owner at the time of the violation. 265  
266  
267  
268  
269  
270

~~(B) "Hearing officer" means any person appointed by the mayor, board of county commissioners, or board of township trustees of a local authority, as applicable, to conduct administrative hearings on violations recorded by traffic law photo-monitoring devices, other than a person who is employed by a law enforcement agency as defined in section 109.573 of the Revised Code.~~ 271  
272  
273  
274  
275  
276  
277

~~(C)~~ "Law enforcement officer" means a sheriff, deputy sheriff, marshal, deputy marshal, police officer of a police department of any municipal corporation, police constable of any 278  
279  
280

township, or police officer of a township or joint police 281  
district, who is employed on a permanent, full-time basis by the 282  
law enforcement agency of a local authority that assigns such 283  
person to the location of a traffic law photo-monitoring device. 284

~~(D)~~ (C) "Local authority" means a municipal corporation, 285  
county, or township. 286

~~(E)~~ (D) "Motor vehicle leasing dealer" has the same 287  
meaning as in section 4517.01 of the Revised Code. 288

~~(F)~~ (E) "Motor vehicle renting dealer" has the same 289  
meaning as in section 4549.65 of the Revised Code. 290

~~(G)~~ (F) "Recorded images" means any of the following 291  
images recorded by a traffic law photo-monitoring device that 292  
show, on at least one image or on a portion of the videotape, 293  
the rear of a motor vehicle and the letters and numerals on the 294  
rear license plate of the vehicle: 295

(1) Two or more photographs, microphotographs, electronic 296  
images, or digital images; 297

(2) Videotape. 298

~~(H)~~ (G) "Registered owner" means all of the following: 299

(1) Any person or entity identified by the bureau of motor 300  
vehicles or any other state motor vehicle registration bureau, 301  
department, or office as the owner of a motor vehicle; 302

(2) The lessee of a motor vehicle under a lease of six 303  
months or longer; 304

(3) The renter of a motor vehicle pursuant to a written 305  
rental agreement with a motor vehicle renting dealer. 306

~~(I)~~ (H) "System location" means the approach to an 307

intersection or area of roadway toward which a traffic law photo-monitoring device is directed and is in operation.

~~(J)~~ (I) "Ticket" means any traffic ticket, citation, summons, or other ticket issued in response to an alleged traffic law violation detected by a traffic law photo-monitoring device, that represents a civil violation.

~~(K)~~ (J) "Traffic law photo-monitoring device" means an electronic system consisting of a photographic, video, or electronic camera and a means of sensing the presence of a motor vehicle that automatically produces recorded images.

~~(L)~~ (K) "Traffic law violation" means either of the following:

(1) A violation of section 4511.12 of the Revised Code based on the failure to comply with section 4511.13 of the Revised Code or a substantially equivalent municipal ordinance that occurs at an intersection due to failure to obey a traffic control signal;

(2) A violation of section 4511.21 or 4511.211 of the Revised Code or a substantially equivalent municipal ordinance due to failure to observe the applicable speed limit.

**Sec. 4511.093.** (A) A local authority may utilize a traffic law photo-monitoring device for the purpose of detecting traffic law violations. If the local authority is a county or township, the board of county commissioners or the board of township trustees may adopt such resolutions as may be necessary to enable the county or township to utilize traffic law photo-monitoring devices.

(B) The use of a traffic law photo-monitoring device is subject to the following conditions:

(1) A local authority shall use a traffic law photo- 337  
monitoring device to detect and enforce traffic law violations 338  
only if a law enforcement officer is present at the location of 339  
the device at all times during the operation of the device and 340  
if the local authority complies with sections 4511.094 and 341  
4511.095 of the Revised Code. 342

(2) A law enforcement officer who is present at the 343  
location of any traffic law photo-monitoring device and who 344  
personally witnesses a traffic law violation may issue a ticket 345  
for the violation. Such a ticket shall be issued in accordance 346  
with section ~~2935.25~~2935.26 of the Revised Code and is not 347  
subject to sections 4511.096 to 4511.0910 and section 4511.912 348  
of the Revised Code. 349

(3) If a traffic law photo-monitoring device records a 350  
traffic law violation and the law enforcement officer who was 351  
present at the location of the traffic law photo-monitoring 352  
device does not issue a ticket as provided under division (B) (2) 353  
of this section, the local authority may only issue a ticket in 354  
accordance with sections 4511.096 to 4511.0912 of the Revised 355  
Code. 356

**Sec. 4511.096.** (A) A law enforcement officer employed by a 357  
local authority utilizing a traffic law photo-monitoring device 358  
shall examine evidence of alleged traffic law violations 359  
recorded by the device to determine whether such a violation has 360  
occurred. If the image recorded by the traffic law photo- 361  
monitoring device shows such a violation, contains the date and 362  
time of the violation, and shows the letter and numerals on the 363  
license plate of the vehicle involved as well as the state that 364  
issued the license plate, the officer may use any lawful means 365  
to identify the registered owner. 366

(B) The fact that a person or entity is the registered owner of a motor vehicle is prima facie evidence that that person or entity is the person who was operating the vehicle at the time of the traffic law violation.

(C) Within thirty days of the traffic law violation, the local authority or its designee may issue and send by regular mail a ticket charging the registered owner with the violation. The ticket shall comply with section 4511.097 of the Revised Code. If the local authority mails a ticket charging the registered owner with the violation, the local authority shall file a certified copy of the ticket with the municipal court or county court with jurisdiction over the civil action.

(D) A certified copy of the ticket alleging a traffic law violation, sworn to or affirmed by a law enforcement officer employed by the local authority, including by electronic means, and the recorded images produced by the traffic law photo-monitoring device, is prima facie evidence of the facts contained therein and is admissible in a civil action or proceeding ~~for review of concerning~~ the ticket issued under this section.

**Sec. 4511.097.** (A) A traffic law violation for which a ticket is issued by a local authority ~~pursuant to division (B) (3) of section 4511.093 of the Revised Code~~ based on evidence recorded by a traffic law photo-monitoring device is a civil violation. If a local authority issues a ticket for such a violation, the ticket shall comply with the requirements of this section and the fine for such a ticket shall not exceed the amount of the fine that may be imposed for a substantially equivalent criminal traffic law violation.

(B) A local authority or its designee shall process such a

ticket for a civil violation and shall send the ticket by 397  
ordinary mail to any registered owner of the motor vehicle that 398  
is the subject of the traffic law violation. The local authority 399  
or designee shall ensure that the ticket contains all of the 400  
following: 401

- (1) The name and address of the registered owner; 402
- (2) The letters and numerals appearing on the license 403  
plate issued to the motor vehicle; 404
- (3) The traffic law violation charged; 405
- (4) The system location; 406
- (5) The date and time of the violation; 407
- (6) A copy of the recorded images; 408
- (7) The name and badge number of the law enforcement 409  
officer who was present at the system location at the time of 410  
the violation, if applicable; 411
- (8) The amount of the civil penalty imposed, the date by 412  
which the civil penalty is required to be paid, and the address 413  
of the municipal court or county court with jurisdiction over 414  
the civil action to which the payment is to be sent; 415
- (9) A statement signed by a law enforcement officer 416  
employed by the local authority indicating that, based on an 417  
inspection of recorded images, the motor vehicle was involved in 418  
a traffic law violation, and a statement indicating that the 419  
recorded images are prima facie evidence of that traffic law 420  
violation both of which may be signed electronically; 421
- (10) Information advising the person or entity alleged to 422  
be liable of the options prescribed in section 4511.098 of the 423

Revised Code, specifically to include the time, place, and 424  
manner in which ~~an administrative appeal may be initiated~~ the 425  
person or entity may appear in court to contest the violation 426  
and ticket and the procedure for disclaiming liability by 427  
submitting an affidavit to the municipal court or county court 428  
as prescribed in that section; 429

(11) A warning that failure to exercise one of the options 430  
prescribed in section 4511.098 of the Revised Code is deemed to 431  
be an admission of liability and waiver of the opportunity to 432  
contest the violation. 433

(C) A local authority or its designee shall send a ticket 434  
not later than thirty days after the date of the alleged traffic 435  
law violation. 436

(D) The local authority or its designee may elect to send 437  
by ordinary mail a warning notice in lieu of a ticket under this 438  
section. 439

**Sec. 4511.098.** (A) A person or entity who receives a 440  
ticket for a civil violation sent in compliance with section 441  
4511.097 of the Revised Code shall elect to do one of the 442  
following: 443

(1) In accordance with instructions on the ticket, pay the 444  
civil penalty, thereby ~~failing to contest~~ admitting liability 445  
and waiving the opportunity to contest the violation; 446

(2) (a) Within thirty days after receipt of the ticket, 447  
provide the ~~law enforcement agency of the local authority~~ 448  
municipal court or county court with jurisdiction over the civil 449  
action with either of the following affidavits: 450

(i) An affidavit executed by the registered owner stating 451  
that another person was operating the vehicle of the registered 452



owner at the time of the violation, identifying that person as a 453  
designated party who may be held liable for the violation, and 454  
containing at a minimum the name and address of the designated 455  
party; 456

(ii) An affidavit executed by the registered owner stating 457  
that at the time of the violation, the motor vehicle or the 458  
license plates issued to the motor vehicle were stolen and 459  
therefore were in the care, custody, or control of some person 460  
or entity to whom the registered owner did not grant permission 461  
to use the motor vehicle. In order to demonstrate that the motor 462  
vehicle or the license plates were stolen prior to the traffic 463  
law violation and therefore were not under the control or 464  
possession of the registered owner at the time of the violation, 465  
the registered owner shall submit proof that a report about the 466  
stolen motor vehicle or license plates was filed with the 467  
appropriate law enforcement agency prior to the violation or 468  
within forty-eight hours after the violation occurred. 469

(b) A registered owner is not responsible for a traffic 470  
law violation if, within thirty days after the date of mailing 471  
of the ticket, the registered owner furnishes an affidavit 472  
specified in division (A) (2) (a) (i) or (ii) of this section to 473  
the ~~local authority court with jurisdiction~~ in a form 474  
established by the ~~local authority court~~ and the following 475  
conditions are met: 476

(i) If the registered owner submits an affidavit as 477  
specified in division (A) (2) (a) (i) of this section, the 478  
designated party either accepts liability for the violation by 479  
paying the civil penalty or by failing to request an 480  
~~administrative a court~~ hearing within thirty days or is 481  
determined liable in ~~an administrative a court~~ hearing; 482

(ii) If the registered owner submits an affidavit as 483  
specified in division (A) (2) (a) (ii) of this section, the 484  
affidavit is supported by a stolen vehicle or stolen license 485  
plate report as required in that division. 486

(3) If the registered owner is a motor vehicle leasing 487  
dealer or a motor vehicle renting dealer, notify the ~~law-~~ 488  
~~enforcement agency of the local authority court with~~ 489  
jurisdiction of the name and address of the lessee or renter of 490  
the motor vehicle at the time of the traffic law violation. The 491  
court shall establish the form of the notice. A motor vehicle 492  
leasing dealer or motor vehicle renting dealer who receives a 493  
ticket for an alleged traffic law violation detected by a 494  
traffic law photo-monitoring device is not liable for a ticket 495  
issued for a motor vehicle that was in the care, custody, or 496  
control of a lessee or renter at the time of the alleged 497  
violation. The dealer shall not pay such a ticket and 498  
subsequently attempt to collect a fee or assess the lessee or 499  
renter a charge for any payment of such a ticket made on behalf 500  
of the lessee or renter. 501

(4) If the vehicle involved in the traffic law violation 502  
is a commercial motor vehicle and the ticket is issued to a 503  
corporate entity, provide to the ~~law enforcement agency of the~~ 504  
~~local authority court with jurisdiction~~ an affidavit in a form 505  
established by the court, sworn to or affirmed by an agent of 506  
the corporate entity, that provides the name and address of the 507  
employee who was operating the motor vehicle at the time of the 508  
alleged violation and who is the designated party. 509

(5) Contest the ticket by filing a written request for ~~an~~ 510  
~~administrative~~ a court hearing to review the ticket in a form 511  
established by the court. The person or entity shall file the 512

written request not later than thirty days after receipt of the ticket. The failure to request a hearing within this time period constitutes a waiver of the right to contest the violation and ticket, and is deemed to constitute an admission of liability and waiver of the opportunity to contest the violation.

(B) A ~~local authority court with jurisdiction~~ that receives an affidavit described in division (A) (2) (a) (i) or (A) (4) of this section or a notification under division (A) (3) of this section from a registered owner may proceed to notify the local authority to send a ticket that conforms with division (B) of section 4511.097 of the Revised Code to the designated party. The local authority shall send the ticket to the designated party by ordinary mail not later than twenty-one days after receipt of the ~~affidavit or~~ notification.

**Sec. 4511.099.** (A) Notwithstanding any other provision in the Revised Code, when a certified copy of a ticket issued by a local authority based on evidence recorded by a traffic law photo-monitoring device is filed with the municipal court or county court with jurisdiction over the civil action, the court shall require the local authority to provide an advance deposit for the filing of the civil action. The advance deposit shall consist of all applicable court costs and fees for the civil action. The court shall retain the advance deposit regardless of which party prevails in the civil action.

(B) (1) The court shall not charge to the registered owner or designated party any court costs and fees for the civil action.

(2) If the registered owner or designated party pays the civil penalty in accordance with division (A) (1) of section 4511.098 of the Revised Code or contests the ticket under

division (A) (5) of that section and does not prevail in the 543  
civil action, the registered owner or designated party shall 544  
only pay the amount of the civil penalty imposed for the 545  
violation. 546

**Sec. 4511.0910.** A traffic law violation for which a civil 547  
penalty is imposed under sections 4511.097 ~~to 4511.099~~ and 548  
4511.098 of the Revised Code is not a moving violation and 549  
points shall not be assessed against a person's driver's license 550  
under section 4510.036 of the Revised Code. In no case shall 551  
such a violation be reported to the bureau of motor vehicles or 552  
motor vehicle registration bureau, department, or office of any 553  
other state, nor shall such a violation be recorded on the 554  
driving record of the owner or operator of the vehicle involved 555  
in the violation. 556

**Sec. 5747.502.** (A) As used in this section, "local 557  
authority" and "traffic law photo-monitoring device" have the 558  
same meanings as in section 4511.092 of the Revised Code. 559

(B) Annually, on or before the thirty-first day of July, 560  
any local authority that operated, directly or indirectly, a 561  
traffic law photo-monitoring device during the preceding fiscal 562  
year shall file a report with the tax commissioner that includes 563  
a detailed statement of the civil fines the local authority has 564  
collected from drivers for any violation of any local ordinance 565  
or resolution during that period that are based upon evidence 566  
recorded by a traffic law photo-monitoring device, including the 567  
gross amount of such fines that have been collected. For the 568  
purposes of divisions (B) and (C) of this section, the gross 569  
amount of such fines includes the entire amount paid by the 570  
driver. 571

(C) Upon receipt of a report filed pursuant to division 572

(B) of this section, the commissioner shall do the following, as 573  
applicable: 574

(1) If the local authority is a municipal corporation, 575  
reduce the amount of each of the next twelve payments to the 576  
municipal corporation under division (C) of section 5747.50 of 577  
the Revised Code by an amount equal to one-twelfth of the gross 578  
amount of fines indicated on the report. If the fines exceed the 579  
amount of money the subdivision would otherwise receive under 580  
division (C) of section 5747.50 of the Revised Code, the 581  
commissioner also shall reduce each of the next twelve payments 582  
to the appropriate county undivided local government fund under 583  
division (B) of section 5747.50 of the Revised Code by an amount 584  
equal to one-twelfth of the excess and notify the county auditor 585  
and county treasurer of that county that each of the next twelve 586  
payments the municipal corporation receives under section 587  
5747.51 or 5747.53 of the Revised Code shall be reduced by one- 588  
twelfth of the excess. 589

(2) If the local authority is not a municipal corporation, 590  
reduce payments to the appropriate county undivided local 591  
government fund under division (B) of section 5747.50 of the 592  
Revised Code by an amount equal to one-twelfth of the gross 593  
amount of fines indicated on the report and immediately notify 594  
the county auditor and county treasurer of that county that each 595  
of the next twelve payments the municipal corporation receives 596  
under section 5747.51 or 5747.53 of the Revised Code shall be 597  
reduced by one-twelfth of the gross amount of fines indicated on 598  
the report; 599

(3) If one or more payments to the local authority has 600  
been withheld under division (D) of this section because of 601  
failure to timely file the report, notify the county auditor and 602

county treasurer of the appropriate county that the report has 603  
been received and that, subject to divisions (C) (1) and (2) of 604  
this section, payments to the local authority from the undivided 605  
local government fund are to resume. Subject to divisions (C) (1) 606  
and (2) of this section, a county treasurer receiving notice 607  
under this section shall provide for payments to the local 608  
authority from the county undivided local government fund 609  
beginning with the next required payment. 610

(D) Upon discovery, based on information in the 611  
commissioner's possession, that a local authority required to 612  
file a report under division (B) of this section has failed to 613  
do so, the commissioner shall do the following, as applicable: 614

(1) If the local authority is a municipal corporation, 615  
cease providing for payments to the municipal corporation under 616  
section 5747.50 of the Revised Code beginning with the next 617  
required payment and until such time as the report is received 618  
by the commissioner; 619

(2) For any local authority, reduce payments to the 620  
appropriate county undivided local government fund under 621  
division (B) of section 5747.50 of the Revised Code by an amount 622  
equal to the amount of such payments the local authority would 623  
otherwise receive under section 5747.51 or 5747.53 of the 624  
Revised Code, beginning with the next required payment and until 625  
such time as the report is received by the commissioner; 626

(3) For any local authority, notify the county auditor and 627  
county treasurer that such payments are to cease until the 628  
commissioner notifies the auditor and treasurer under division 629  
(C) (3) of this section that the payments are to resume. 630

(E) A county treasurer that receives a notice from the 631

commissioner under division (C) (1), (2), (3), or (D) (3) of this 632  
section shall reduce, cease, or resume payments from the 633  
undivided local government fund to the local authority that is 634  
the subject of the notice as specified by the commissioner in 635  
the notice. Unless otherwise specified in the notice, the 636  
payments shall be reduced, ceased, or resumed beginning with the 637  
next required payment. 638

(F) On or before the tenth day of each month, the 639  
commissioner shall deposit an amount equal to the payments 640  
reduced or withheld under divisions (C) (1), (2), (D) (1), and (2) 641  
of this section to the Ohio highway and transportation safety 642  
fund which is hereby created in the state treasury. Amounts 643  
credited to the fund shall be used by the department of 644  
transportation to enhance public safety on public roads and 645  
highways. 646

**Sec. 5747.51.** (A) On or before the twenty-fifth day of 647  
July of each year, the tax commissioner shall make and certify 648  
to the county auditor of each county an estimate of the amount 649  
of the local government fund to be allocated to the undivided 650  
local government fund of each county for the ensuing calendar 651  
year, adjusting the total as required to account for 652  
subdivisions receiving local government funds under section 653  
5747.502 of the Revised Code. 654

(B) At each annual regular session of the county budget 655  
commission convened pursuant to section 5705.27 of the Revised 656  
Code, each auditor shall present to the commission the 657  
certificate of the commissioner, the annual tax budget and 658  
estimates, and the records showing the action of the commission 659  
in its last preceding regular session. The commission, after 660  
extending to the representatives of each subdivision an 661

opportunity to be heard, under oath administered by any member 662  
of the commission, and considering all the facts and information 663  
presented to it by the auditor, shall determine the amount of 664  
the undivided local government fund needed by and to be 665  
apportioned to each subdivision for current operating expenses, 666  
as shown in the tax budget of the subdivision. This 667  
determination shall be made pursuant to divisions (C) to (I) of 668  
this section, unless the commission has provided for a formula 669  
pursuant to section 5747.53 of the Revised Code. The 670  
commissioner shall reduce ~~or increase~~ the amount of funds from 671  
the undivided local government fund to a subdivision required to 672  
receive reduced ~~or increased~~ funds under section 5747.502 of the 673  
Revised Code. 674

Nothing in this section prevents the budget commission, 675  
for the purpose of apportioning the undivided local government 676  
fund, from inquiring into the claimed needs of any subdivision 677  
as stated in its tax budget, or from adjusting claimed needs to 678  
reflect actual needs. For the purposes of this section, "current 679  
operating expenses" means the lawful expenditures of a 680  
subdivision, except those for permanent improvements and except 681  
payments for interest, sinking fund, and retirement of bonds, 682  
notes, and certificates of indebtedness of the subdivision. 683

(C) The commission shall determine the combined total of 684  
the estimated expenditures, including transfers, from the 685  
general fund and any special funds other than special funds 686  
established for road and bridge; street construction, 687  
maintenance, and repair; state highway improvement; and gas, 688  
water, sewer, and electric public utilities operated by a 689  
subdivision, as shown in the subdivision's tax budget for the 690  
ensuing calendar year. 691



(D) From the combined total of expenditures calculated 692  
pursuant to division (C) of this section, the commission shall 693  
deduct the following expenditures, if included in these funds in 694  
the tax budget: 695

(1) Expenditures for permanent improvements as defined in 696  
division (E) of section 5705.01 of the Revised Code; 697

(2) In the case of counties and townships, transfers to 698  
the road and bridge fund, and in the case of municipalities, 699  
transfers to the street construction, maintenance, and repair 700  
fund and the state highway improvement fund; 701

(3) Expenditures for the payment of debt charges; 702

(4) Expenditures for the payment of judgments. 703

(E) In addition to the deductions made pursuant to 704  
division (D) of this section, revenues accruing to the general 705  
fund and any special fund considered under division (C) of this 706  
section from the following sources shall be deducted from the 707  
combined total of expenditures calculated pursuant to division 708  
(C) of this section: 709

(1) Taxes levied within the ten-mill limitation, as 710  
defined in section 5705.02 of the Revised Code; 711

(2) The budget commission allocation of estimated county 712  
public library fund revenues to be distributed pursuant to 713  
section 5747.48 of the Revised Code; 714

(3) Estimated unencumbered balances as shown on the tax 715  
budget as of the thirty-first day of December of the current 716  
year in the general fund, but not any estimated balance in any 717  
special fund considered in division (C) of this section; 718

(4) Revenue, including transfers, shown in the general 719

fund and any special funds other than special funds established 720  
for road and bridge; street construction, maintenance, and 721  
repair; state highway improvement; and gas, water, sewer, and 722  
electric public utilities, from all other sources except those 723  
that a subdivision receives from an additional tax or service 724  
charge voted by its electorate or receives from special 725  
assessment or revenue bond collection. For the purposes of this 726  
division, where the charter of a municipal corporation prohibits 727  
the levy of an income tax, an income tax levied by the 728  
legislative authority of such municipal corporation pursuant to 729  
an amendment of the charter of that municipal corporation to 730  
authorize such a levy represents an additional tax voted by the 731  
electorate of that municipal corporation. For the purposes of 732  
this division, any measure adopted by a board of county 733  
commissioners pursuant to section 322.02, 4504.02, or 5739.021 734  
of the Revised Code, including those measures upheld by the 735  
electorate in a referendum conducted pursuant to section 736  
322.021, 4504.021, or 5739.022 of the Revised Code, shall not be 737  
considered an additional tax voted by the electorate. 738

Subject to division (G) of section 5705.29 of the Revised 739  
Code, money in a reserve balance account established by a 740  
county, township, or municipal corporation under section 5705.13 741  
of the Revised Code shall not be considered an unencumbered 742  
balance or revenue under division (E) (3) or (4) of this section. 743  
Money in a reserve balance account established by a township 744  
under section 5705.132 of the Revised Code shall not be 745  
considered an unencumbered balance or revenue under division (E) 746  
(3) or (4) of this section. 747

If a county, township, or municipal corporation has 748  
created and maintains a nonexpendable trust fund under section 749  
5705.131 of the Revised Code, the principal of the fund, and any 750

additions to the principal arising from sources other than the 751  
reinvestment of investment earnings arising from such a fund, 752  
shall not be considered an unencumbered balance or revenue under 753  
division (E) (3) or (4) of this section. Only investment earnings 754  
arising from investment of the principal or investment of such 755  
additions to principal may be considered an unencumbered balance 756  
or revenue under those divisions. 757

(F) The total expenditures calculated pursuant to division 758  
(C) of this section, less the deductions authorized in divisions 759  
(D) and (E) of this section, shall be known as the "relative 760  
need" of the subdivision, for the purposes of this section. 761

(G) The budget commission shall total the relative need of 762  
all participating subdivisions in the county, and shall compute 763  
a relative need factor by dividing the total estimate of the 764  
undivided local government fund by the total relative need of 765  
all participating subdivisions. 766

(H) The relative need of each subdivision shall be 767  
multiplied by the relative need factor to determine the 768  
proportionate share of the subdivision in the undivided local 769  
government fund of the county; provided, that the maximum 770  
proportionate share of a county shall not exceed the following 771  
maximum percentages of the total estimate of the undivided local 772  
government fund governed by the relationship of the percentage 773  
of the population of the county that resides within municipal 774  
corporations within the county to the total population of the 775  
county as reported in the reports on population in Ohio by the 776  
department of development as of the twentieth day of July of the 777  
year in which the tax budget is filed with the budget 778  
commission: 779

Percentage share of 780

Percentage of municipal	the county shall	781
population within the county:	not exceed:	782
Less than forty-one per cent	Sixty per cent	783
Forty-one per cent or more but	Fifty per cent	784
less than eighty-one per cent		785
Eighty-one per cent or more	Thirty per cent	786

Where the proportionate share of the county exceeds the 787  
limitations established in this division, the budget commission 788  
shall adjust the proportionate shares determined pursuant to 789  
this division so that the proportionate share of the county does 790  
not exceed these limitations, and it shall increase the 791  
proportionate shares of all other subdivisions on a pro rata 792  
basis. In counties having a population of less than one hundred 793  
thousand, not less than ten per cent shall be distributed to the 794  
townships therein. 795

(I) The proportionate share of each subdivision in the 796  
undivided local government fund determined pursuant to division 797  
(H) of this section for any calendar year shall not be less than 798  
the product of the average of the percentages of the undivided 799  
local government fund of the county as apportioned to that 800  
subdivision for the calendar years 1968, 1969, and 1970, 801  
multiplied by the total amount of the undivided local government 802  
fund of the county apportioned pursuant to former section 803  
5735.23 of the Revised Code for the calendar year 1970. For the 804  
purposes of this division, the total apportioned amount for the 805  
calendar year 1970 shall be the amount actually allocated to the 806  
county in 1970 from the state collected intangible tax as levied 807  
by section 5707.03 of the Revised Code and distributed pursuant 808  
to section 5725.24 of the Revised Code, plus the amount received 809

by the county in the calendar year 1970 pursuant to division (B) 810  
(1) of former section 5739.21 of the Revised Code, and 811  
distributed pursuant to former section 5739.22 of the Revised 812  
Code. If the total amount of the undivided local government fund 813  
for any calendar year is less than the amount of the undivided 814  
local government fund apportioned pursuant to former section 815  
5739.23 of the Revised Code for the calendar year 1970, the 816  
minimum amount guaranteed to each subdivision for that calendar 817  
year pursuant to this division shall be reduced on a basis 818  
proportionate to the amount by which the amount of the undivided 819  
local government fund for that calendar year is less than the 820  
amount of the undivided local government fund apportioned for 821  
the calendar year 1970. 822

(J) On the basis of such apportionment, the county auditor 823  
shall compute the percentage share of each such subdivision in 824  
the undivided local government fund and shall at the same time 825  
certify to the tax commissioner the percentage share of the 826  
county as a subdivision. No payment shall be made from the 827  
undivided local government fund, except in accordance with such 828  
percentage shares. 829

Within ten days after the budget commission has made its 830  
apportionment, whether conducted pursuant to section 5747.51 or 831  
5747.53 of the Revised Code, the auditor shall publish a list of 832  
the subdivisions and the amount each is to receive from the 833  
undivided local government fund and the percentage share of each 834  
subdivision, in a newspaper or newspapers of countywide 835  
circulation, and send a copy of such allocation to the tax 836  
commissioner. 837

The county auditor shall also send a copy of such 838  
allocation by ordinary or electronic mail to the fiscal officer 839

of each subdivision entitled to participate in the allocation of 840  
the undivided local government fund of the county. This copy 841  
shall constitute the official notice of the commission action 842  
referred to in section 5705.37 of the Revised Code. 843

All money received into the treasury of a subdivision from 844  
the undivided local government fund in a county treasury shall 845  
be paid into the general fund and used for the current operating 846  
expenses of the subdivision. 847

If a municipal corporation maintains a municipal 848  
university, such municipal university, when the board of 849  
trustees so requests the legislative authority of the municipal 850  
corporation, shall participate in the money apportioned to such 851  
municipal corporation from the total local government fund, 852  
however created and constituted, in such amount as requested by 853  
the board of trustees, provided such sum does not exceed nine 854  
per cent of the total amount paid to the municipal corporation. 855

If any public official fails to maintain the records 856  
required by sections 5747.50 to 5747.55 of the Revised Code or 857  
by the rules issued by the tax commissioner, the auditor of 858  
state, or the treasurer of state pursuant to such sections, or 859  
fails to comply with any law relating to the enforcement of such 860  
sections, the local government fund money allocated to the 861  
county may be withheld until such time as the public official 862  
has complied with such sections or such law or the rules issued 863  
pursuant thereto. 864

**Sec. 5747.53.** (A) As used in this section: 865

(1) "City, located wholly or partially in the county, with 866  
the greatest population" means the city, located wholly or 867  
partially in the county, with the greatest population residing 868

in the county; however, if the county budget commission on or 869  
before January 1, 1998, adopted an alternative method of 870  
apportionment that was approved by the legislative authority of 871  
the city, located partially in the county, with the greatest 872  
population but not the greatest population residing in the 873  
county, "city, located wholly or partially in the county, with 874  
the greatest population" means the city, located wholly or 875  
partially in the county, with the greatest population whether 876  
residing in the county or not, if this alternative meaning is 877  
adopted by action of the board of county commissioners and a 878  
majority of the boards of township trustees and legislative 879  
authorities of municipal corporations located wholly or 880  
partially in the county. 881

(2) "Participating political subdivision" means a 882  
municipal corporation or township that satisfies all of the 883  
following: 884

(a) It is located wholly or partially in the county. 885

(b) It is not the city, located wholly or partially in the 886  
county, with the greatest population. 887

(c) Undivided local government fund moneys are apportioned 888  
to it under the county's alternative method or formula of 889  
apportionment in the current calendar year. 890

(B) In lieu of the method of apportionment of the 891  
undivided local government fund of the county provided by 892  
section 5747.51 of the Revised Code, the county budget 893  
commission may provide for the apportionment of the fund under 894  
an alternative method or on a formula basis as authorized by 895  
this section. The commissioner shall reduce ~~or increase~~ the 896  
amount of funds from the undivided local government fund to a 897

subdivision required to receive reduced ~~or increased~~ funds under 898  
section 5747.502 of the Revised Code. 899

Except as otherwise provided in division (C) of this 900  
section, the alternative method of apportionment shall have 901  
first been approved by all of the following governmental units: 902  
the board of county commissioners; the legislative authority of 903  
the city, located wholly or partially in the county, with the 904  
greatest population; and a majority of the boards of township 905  
trustees and legislative authorities of municipal corporations, 906  
located wholly or partially in the county, excluding the 907  
legislative authority of the city, located wholly or partially 908  
in the county, with the greatest population. In granting or 909  
denying approval for an alternative method of apportionment, the 910  
board of county commissioners, boards of township trustees, and 911  
legislative authorities of municipal corporations shall act by 912  
motion. A motion to approve shall be passed upon a majority vote 913  
of the members of a board of county commissioners, board of 914  
township trustees, or legislative authority of a municipal 915  
corporation, shall take effect immediately, and need not be 916  
published. 917

Any alternative method of apportionment adopted and 918  
approved under this division may be revised, amended, or 919  
repealed in the same manner as it may be adopted and approved. 920  
If an alternative method of apportionment adopted and approved 921  
under this division is repealed, the undivided local government 922  
fund of the county shall be apportioned among the subdivisions 923  
eligible to participate in the fund, commencing in the ensuing 924  
calendar year, under the apportionment provided in section 925  
5747.52 of the Revised Code, unless the repeal occurs by 926  
operation of division (C) of this section or a new method for 927  
apportionment of the fund is provided in the action of repeal. 928



(C) This division applies only in counties in which the 929  
city, located wholly or partially in the county, with the 930  
greatest population has a population of twenty thousand or less 931  
and a population that is less than fifteen per cent of the total 932  
population of the county. In such a county, the legislative 933  
authorities or boards of township trustees of two or more 934  
participating political subdivisions, which together have a 935  
population residing in the county that is a majority of the 936  
total population of the county, each may adopt a resolution to 937  
exclude the approval otherwise required of the legislative 938  
authority of the city, located wholly or partially in the 939  
county, with the greatest population. All of the resolutions to 940  
exclude that approval shall be adopted not later than the first 941  
Monday of August of the year preceding the calendar year in 942  
which distributions are to be made under an alternative method 943  
of apportionment. 944

A motion granting or denying approval of an alternative 945  
method of apportionment under this division shall be adopted by 946  
a majority vote of the members of the board of county 947  
commissioners and by a majority vote of a majority of the boards 948  
of township trustees and legislative authorities of the 949  
municipal corporations located wholly or partially in the 950  
county, other than the city, located wholly or partially in the 951  
county, with the greatest population, shall take effect 952  
immediately, and need not be published. The alternative method 953  
of apportionment under this division shall be adopted and 954  
approved annually, not later than the first Monday of August of 955  
the year preceding the calendar year in which distributions are 956  
to be made under it. A motion granting approval of an 957  
alternative method of apportionment under this division repeals 958  
any existing alternative method of apportionment, effective with 959

distributions to be made from the fund in the ensuing calendar year. An alternative method of apportionment under this division shall not be revised or amended after the first Monday of August of the year preceding the calendar year in which distributions are to be made under it.

(D) In determining an alternative method of apportionment authorized by this section, the county budget commission may include in the method any factor considered to be appropriate and reliable, in the sole discretion of the county budget commission.

(E) The limitations set forth in section 5747.51 of the Revised Code, stating the maximum amount that the county may receive from the undivided local government fund and the minimum amount the townships in counties having a population of less than one hundred thousand may receive from the fund, are applicable to any alternative method of apportionment authorized under this section.

(F) On the basis of any alternative method of apportionment adopted and approved as authorized by this section, as certified by the auditor to the county treasurer, the county treasurer shall make distribution of the money in the undivided local government fund to each subdivision eligible to participate in the fund, and the auditor, when the amount of those shares is in the custody of the treasurer in the amounts so computed to be due the respective subdivisions, shall at the same time certify to the tax commissioner the percentage share of the county as a subdivision. All money received into the treasury of a subdivision from the undivided local government fund in a county treasury shall be paid into the general fund and used for the current operating expenses of the subdivision.

If a municipal corporation maintains a municipal university, the 990  
university, when the board of trustees so requests the 991  
legislative authority of the municipal corporation, shall 992  
participate in the money apportioned to the municipal 993  
corporation from the total local government fund, however 994  
created and constituted, in the amount requested by the board of 995  
trustees, provided that amount does not exceed nine per cent of 996  
the total amount paid to the municipal corporation. 997

(G) The actions of the county budget commission taken 998  
pursuant to this section are final and may not be appealed to 999  
the board of tax appeals, except on the issues of abuse of 1000  
discretion and failure to comply with the formula. 1001

**Section 2.** That existing sections 1901.18, 1901.20, 1002  
1907.02, 1907.031, 4511.092, 4511.093, 4511.096, 4511.097, 1003  
4511.098, 4511.0910, 5747.51, and 5747.53 and sections 4511.099, 1004  
4511.0915, and 5747.502 of the Revised Code are hereby repealed. 1005

**Section 3.** Section 5747.51 of the Revised Code is 1006  
presented in this act as a composite of the section as amended 1007  
by both Sub. H.B. 166 and Sub. H.B. 390 of the 131st General 1008  
Assembly. The General Assembly, applying the principle stated in 1009  
division (B) of section 1.52 of the Revised Code that amendments 1010  
are to be harmonized if reasonably capable of simultaneous 1011  
operation, finds that the composite is the resulting version of 1012  
the section in effect prior to the effective date of the section 1013  
as presented in this act. 1014