

**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**

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**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. 137

**Section 2.** That existing sections 1901.20 and 1907.02 of 138  
the Revised Code are hereby repealed. 139