

As Reported by the Senate Judiciary Committee

129th General Assembly

Regular Session

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Sub. H. B. No. 606

Representative Hagan, R.

Cosponsors: Representatives Gerberry, Bupp, Blair, Blessing, Combs,

DeVitis, Hottinger, Huffman, Martin, Murray, Ramos, Stebelton, Yuko

Speaker Batchelder

—

A B I L L

To amend sections 1901.08, 1905.01, 4511.204, and	1
4511.205 of the Revised Code to abolish a	2
judgeship of the Youngstown Municipal Court; to	3
increase from more than 100 to more than 200 the	4
population necessary for a municipal corporation	5
to have a mayor's court unless the municipal	6
corporation is located entirely on an island in	7
Lake Erie; and to provide that a conviction or	8
guilty plea of the offense of driving a vehicle	9
while writing, sending, or reading a text-based	10
communication on a handheld electronic wireless	11
communications device and a conviction or guilty	12
plea of a substantially equivalent municipal	13
ordinance for the same conduct are allied offenses	14
of similar import and that an adjudication for the	15
offense of a person who is less than 18 years of	16
age from using, in any manner, an electronic	17
wireless communications device while driving and	18
an adjudication of a substantially equivalent	19
municipal ordinance for the same conduct are	20
allied offenses of similar import.	21

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

Section 1. That sections 1901.08, 1905.01, 4511.204, and 22
4511.205 of the Revised Code be amended to read as follows: 23

Sec. 1901.08. The number of, and the time for election of, 24
judges of the following municipal courts and the beginning of 25
their terms shall be as follows: 26

In the Akron municipal court, two full-time judges shall be 27
elected in 1951, two full-time judges shall be elected in 1953, 28
one full-time judge shall be elected in 1967, and one full-time 29
judge shall be elected in 1975. 30

In the Alliance municipal court, one full-time judge shall be 31
elected in 1953. 32

In the Ashland municipal court, one full-time judge shall be 33
elected in 1951. 34

In the Ashtabula municipal court, one full-time judge shall 35
be elected in 1953. 36

In the Athens county municipal court, one full-time judge 37
shall be elected in 1967. 38

In the Auglaize county municipal court, one full-time judge 39
shall be elected in 1975. 40

In the Avon Lake municipal court, one part-time judge shall 41
be elected in 1957. 42

In the Barberton municipal court, one full-time judge shall 43
be elected in 1969, and one full-time judge shall be elected in 44
1971. 45

In the Bedford municipal court, one full-time judge shall be 46
elected in 1975, and one full-time judge shall be elected in 1979. 47

In the Bellefontaine municipal court, one full-time judge shall be elected in 1993.	48 49
In the Bellevue municipal court, one part-time judge shall be elected in 1951.	50 51
In the Berea municipal court, one full-time judge shall be elected in 2005.	52 53
In the Bowling Green municipal court, one full-time judge shall be elected in 1983.	54 55
In the Brown county municipal court, one full-time judge shall be elected in 2005. Beginning February 9, 2003, the part-time judge of the Brown county county court that existed prior to that date whose term commenced on January 2, 2001, shall serve as the full-time judge of the Brown county municipal court until December 31, 2005.	56 57 58 59 60 61
In the Bryan municipal court, one full-time judge shall be elected in 1965.	62 63
In the Cambridge municipal court, one full-time judge shall be elected in 1951.	64 65
In the Campbell municipal court, one part-time judge shall be elected in 1963.	66 67
In the Canton municipal court, one full-time judge shall be elected in 1951, one full-time judge shall be elected in 1969, and two full-time judges shall be elected in 1977.	68 69 70
In the Carroll county municipal court, one full-time judge shall be elected in 2009. Beginning January 1, 2007, the judge elected in 2006 to the part-time judgeship of the Carroll county county court that existed prior to that date shall serve as the full-time judge of the Carroll county municipal court until December 31, 2009.	71 72 73 74 75 76
In the Celina municipal court, one full-time judge shall be	77

elected in 1957.	78
In the Champaign county municipal court, one full-time judge shall be elected in 2001.	79 80
In the Chardon municipal court, one full-time judge shall be elected in 1963.	81 82
In the Chillicothe municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1977.	83 84 85
In the Circleville municipal court, one full-time judge shall be elected in 1953.	86 87
In the Clark county municipal court, one full-time judge shall be elected in 1989, and two full-time judges shall be elected in 1991. The full-time judges of the Springfield municipal court who were elected in 1983 and 1985 shall serve as the judges of the Clark county municipal court from January 1, 1988, until the end of their respective terms.	88 89 90 91 92 93
In the Clermont county municipal court, two full-time judges shall be elected in 1991, and one full-time judge shall be elected in 1999.	94 95 96
In the Cleveland municipal court, six full-time judges shall be elected in 1975, three full-time judges shall be elected in 1953, and four full-time judges shall be elected in 1955.	97 98 99
In the Cleveland Heights municipal court, one full-time judge shall be elected in 1957.	100 101
In the Clinton county municipal court, one full-time judge shall be elected in 1997. The full-time judge of the Wilmington municipal court who was elected in 1991 shall serve as the judge of the Clinton county municipal court from July 1, 1992, until the end of that judge's term on December 31, 1997.	102 103 104 105 106
In the Columbiana county municipal court, two full-time	107

judges shall be elected in 2001.	108
In the Conneaut municipal court, one full-time judge shall be	109
elected in 1953.	110
In the Coshocton municipal court, one full-time judge shall	111
be elected in 1951.	112
In the Crawford county municipal court, one full-time judge	113
shall be elected in 1977.	114
In the Cuyahoga Falls municipal court, one full-time judge	115
shall be elected in 1953, and one full-time judge shall be elected	116
in 1967. Effective December 31, 2008, the Cuyahoga Falls municipal	117
court shall cease to exist; however, the judges of the Cuyahoga	118
Falls municipal court who were elected pursuant to this section in	119
2003 and 2007 for terms beginning on January 1, 2004, and January	120
1, 2008, respectively, shall serve as full-time judges of the Stow	121
municipal court until December 31, 2009, and December 31, 2013,	122
respectively.	123
In the Darke county municipal court, one full-time judge	124
shall be elected in 2005. Beginning January 1, 2005, the part-time	125
judge of the Darke county county court that existed prior to that	126
date whose term began on January 1, 2001, shall serve as the	127
full-time judge of the Darke county municipal court until December	128
31, 2005.	129
In the Dayton municipal court, three full-time judges shall	130
be elected in 1987, their terms to commence on successive days	131
beginning on the first day of January next after their election,	132
and two full-time judges shall be elected in 1955, their terms to	133
commence on successive days beginning on the second day of January	134
next after their election.	135
In the Defiance municipal court, one full-time judge shall be	136
elected in 1957.	137

In the Delaware municipal court, one full-time judge shall be	138
elected in 1953, and one full-time judge shall be elected in 2007.	139
In the East Cleveland municipal court, one full-time judge	140
shall be elected in 1957.	141
In the East Liverpool municipal court, one full-time judge	142
shall be elected in 1953.	143
In the Eaton municipal court, one full-time judge shall be	144
elected in 1973.	145
In the Elyria municipal court, one full-time judge shall be	146
elected in 1955, and one full-time judge shall be elected in 1973.	147
In the Erie county municipal court, one full-time judge shall	148
be elected in 2007.	149
In the Euclid municipal court, one full-time judge shall be	150
elected in 1951.	151
In the Fairborn municipal court, one full-time judge shall be	152
elected in 1977.	153
In the Fairfield county municipal court, one full-time judge	154
shall be elected in 2003, and one full-time judge shall be elected	155
in 2005.	156
In the Fairfield municipal court, one full-time judge shall	157
be elected in 1989.	158
In the Findlay municipal court, one full-time judge shall be	159
elected in 1955, and one full-time judge shall be elected in 1993.	160
In the Fostoria municipal court, one full-time judge shall be	161
elected in 1975.	162
In the Franklin municipal court, one part-time judge shall be	163
elected in 1951.	164
In the Franklin county municipal court, two full-time judges	165
shall be elected in 1969, three full-time judges shall be elected	166

in 1971, seven full-time judges shall be elected in 1967, one 167
full-time judge shall be elected in 1975, one full-time judge 168
shall be elected in 1991, and one full-time judge shall be elected 169
in 1997. 170

In the Fremont municipal court, one full-time judge shall be 171
elected in 1975. 172

In the Gallipolis municipal court, one full-time judge shall 173
be elected in 1981. 174

In the Garfield Heights municipal court, one full-time judge 175
shall be elected in 1951, and one full-time judge shall be elected 176
in 1981. 177

In the Girard municipal court, one full-time judge shall be 178
elected in 1963. 179

In the Hamilton municipal court, one full-time judge shall be 180
elected in 1953. 181

In the Hamilton county municipal court, five full-time judges 182
shall be elected in 1967, five full-time judges shall be elected 183
in 1971, two full-time judges shall be elected in 1981, and two 184
full-time judges shall be elected in 1983. All terms of judges of 185
the Hamilton county municipal court shall commence on the first 186
day of January next after their election, except that the terms of 187
the additional judges to be elected in 1981 shall commence on 188
January 2, 1982, and January 3, 1982, and that the terms of the 189
additional judges to be elected in 1983 shall commence on January 190
4, 1984, and January 5, 1984. 191

In the Hardin county municipal court, one part-time judge 192
shall be elected in 1989. 193

In the Hillsboro municipal court, one full-time judge shall 194
be elected in 2011. On and after December 30, 2008, the part-time 195
judge of the Hillsboro municipal court who was elected in 2005 196

shall serve as a full-time judge of the court until the end of 197
that judge's term on December 31, 2011. 198

In the Hocking county municipal court, one full-time judge 199
shall be elected in 1977. 200

In the Holmes county municipal court, one full-time judge 201
shall be elected in 2007. Beginning January 1, 2007, the part-time 202
judge of the Holmes county county court that existed prior to that 203
date whose term commenced on January 1, 2007, shall serve as the 204
full-time judge of the Holmes county municipal court until 205
December 31, 2007. 206

In the Huron municipal court, one part-time judge shall be 207
elected in 1967. 208

In the Ironton municipal court, one full-time judge shall be 209
elected in 1951. 210

In the Jackson county municipal court, one full-time judge 211
shall be elected in 2001. On and after March 31, 1997, the 212
part-time judge of the Jackson county municipal court who was 213
elected in 1995 shall serve as a full-time judge of the court 214
until the end of that judge's term on December 31, 2001. 215

In the Kettering municipal court, one full-time judge shall 216
be elected in 1971, and one full-time judge shall be elected in 217
1975. 218

In the Lakewood municipal court, one full-time judge shall be 219
elected in 1955. 220

In the Lancaster municipal court, one full-time judge shall 221
be elected in 1951, and one full-time judge shall be elected in 222
1979. Beginning January 2, 2000, the full-time judges of the 223
Lancaster municipal court who were elected in 1997 and 1999 shall 224
serve as judges of the Fairfield county municipal court until the 225
end of those judges' terms. 226

In the Lawrence county municipal court, one part-time judge shall be elected in 1981.	227 228
In the Lebanon municipal court, one part-time judge shall be elected in 1955.	229 230
In the Licking county municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1971.	231 232 233
In the Lima municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1967.	234 235
In the Lorain municipal court, one full-time judge shall be elected in 1953, and one full-time judge shall be elected in 1973.	236 237
In the Lyndhurst municipal court, one full-time judge shall be elected in 1957.	238 239
In the Madison county municipal court, one full-time judge shall be elected in 1981.	240 241
In the Mansfield municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1969.	242 243 244
In the Marietta municipal court, one full-time judge shall be elected in 1957.	245 246
In the Marion municipal court, one full-time judge shall be elected in 1951.	247 248
In the Marysville municipal court, one full-time judge shall be elected in 2011. On and after January 18, 2007, the part-time judge of the Marysville municipal court who was elected in 2005 shall serve as a full-time judge of the court until the end of that judge's term on December 31, 2011.	249 250 251 252 253
In the Mason municipal court, one part-time judge shall be elected in 1965.	254 255

In the Massillon municipal court, one full-time judge shall	256
be elected in 1953, and one full-time judge shall be elected in	257
1971.	258
In the Maumee municipal court, one full-time judge shall be	259
elected in 1963.	260
In the Medina municipal court, one full-time judge shall be	261
elected in 1957.	262
In the Mentor municipal court, one full-time judge shall be	263
elected in 1971.	264
In the Miami county municipal court, one full-time judge	265
shall be elected in 1975, and one full-time judge shall be elected	266
in 1979.	267
In the Miamisburg municipal court, one full-time judge shall	268
be elected in 1951.	269
In the Middletown municipal court, one full-time judge shall	270
be elected in 1953.	271
In the Montgomery county municipal court:	272
One judge shall be elected in 2011 to a part-time judgeship	273
for a term to begin on January 1, 2012. If any one of the other	274
judgeships of the court becomes vacant and is abolished after July	275
1, 2010, this judgeship shall become a full-time judgeship on that	276
date. If only one other judgeship of the court becomes vacant and	277
is abolished as of December 31, 2021, this judgeship shall be	278
abolished as of that date. Beginning July 1, 2010, the part-time	279
judge of the Montgomery county county court that existed before	280
that date whose term commenced on January 1, 2005, shall serve as	281
a part-time judge of the Montgomery county municipal court until	282
December 31, 2011.	283
One judge shall be elected in 2011 to a full-time judgeship	284
for a term to begin on January 2, 2012, and this judgeship shall	285

be abolished on January 1, 2016. Beginning July 1, 2010, the 286
part-time judge of the Montgomery county county court that existed 287
before that date whose term commenced on January 2, 2005, shall 288
serve as a full-time judge of the Montgomery county municipal 289
court until January 1, 2012. 290

One judge shall be elected in 2013 to a full-time judgeship 291
for a term to begin on January 2, 2014. Beginning July 1, 2010, 292
the part-time judge of the Montgomery county county court that 293
existed before that date whose term commenced on January 2, 2007, 294
shall serve as a full-time judge of the Montgomery county 295
municipal court until January 1, 2014. 296

One judge shall be elected in 2013 to a judgeship for a term 297
to begin on January 1, 2014. If no other judgeship of the court 298
becomes vacant and is abolished by January 1, 2014, this judgeship 299
shall be a part-time judgeship. When one or more of the other 300
judgeships of the court becomes vacant and is abolished after July 301
1, 2010, this judgeship shall become a full-time judgeship. 302
Beginning July 1, 2010, the part-time judge of the Montgomery 303
county county court that existed before that date whose term 304
commenced on January 1, 2007, shall serve as this judge of the 305
Montgomery county municipal court until December 31, 2013. 306

If any one of the judgeships of the court becomes vacant 307
before December 31, 2021, that judgeship is abolished on the date 308
that it becomes vacant, and the other judges of the court shall be 309
or serve as full-time judges. The abolishment of judgeships for 310
the Montgomery county municipal court shall cease when the court 311
has two full-time judgeships. 312

In the Morrow county municipal court, one full-time judge 313
shall be elected in 2005. Beginning January 1, 2003, the part-time 314
judge of the Morrow county county court that existed prior to that 315
date shall serve as the full-time judge of the Morrow county 316
municipal court until December 31, 2005. 317

In the Mount Vernon municipal court, one full-time judge	318
shall be elected in 1951.	319
In the Napoleon municipal court, one full-time judge shall be	320
elected in 2005.	321
In the New Philadelphia municipal court, one full-time judge	322
shall be elected in 1975.	323
In the Newton Falls municipal court, one full-time judge	324
shall be elected in 1963.	325
In the Niles municipal court, one full-time judge shall be	326
elected in 1951.	327
In the Norwalk municipal court, one full-time judge shall be	328
elected in 1975.	329
In the Oakwood municipal court, one part-time judge shall be	330
elected in 1953.	331
In the Oberlin municipal court, one full-time judge shall be	332
elected in 1989.	333
In the Oregon municipal court, one full-time judge shall be	334
elected in 1963.	335
In the Ottawa county municipal court, one full-time judge	336
shall be elected in 1995, and the full-time judge of the Port	337
Clinton municipal court who is elected in 1989 shall serve as the	338
judge of the Ottawa county municipal court from February 4, 1994,	339
until the end of that judge's term.	340
In the Painesville municipal court, one full-time judge shall	341
be elected in 1951.	342
In the Parma municipal court, one full-time judge shall be	343
elected in 1951, one full-time judge shall be elected in 1967, and	344
one full-time judge shall be elected in 1971.	345
In the Perrysburg municipal court, one full-time judge shall	346

be elected in 1977. 347

In the Portage county municipal court, two full-time judges 348
shall be elected in 1979, and one full-time judge shall be elected 349
in 1971. 350

In the Port Clinton municipal court, one full-time judge 351
shall be elected in 1953. The full-time judge of the Port Clinton 352
municipal court who is elected in 1989 shall serve as the judge of 353
the Ottawa county municipal court from February 4, 1994, until the 354
end of that judge's term. 355

In the Portsmouth municipal court, one full-time judge shall 356
be elected in 1951, and one full-time judge shall be elected in 357
1985. 358

In the Putnam county municipal court, one full-time judge 359
shall be elected in 2011. Beginning January 1, 2011, the part-time 360
judge of the Putnam county county court that existed prior to that 361
date whose term commenced on January 1, 2007, shall serve as the 362
full-time judge of the Putnam county municipal court until 363
December 31, 2011. 364

In the Rocky River municipal court, one full-time judge shall 365
be elected in 1957, and one full-time judge shall be elected in 366
1971. 367

In the Sandusky municipal court, one full-time judge shall be 368
elected in 1953. 369

In the Sandusky county municipal court, one full-time judge 370
shall be elected in 2013. Beginning on January 1, 2013, the two 371
part-time judges of the Sandusky county county court that existed 372
prior to that date shall serve as part-time judges of the Sandusky 373
county municipal court until December 31, 2013. If either 374
judgeship becomes vacant before January 1, 2014, that judgeship is 375
abolished on the date it becomes vacant, and the person who holds 376
the other judgeship shall serve as the full-time judge of the 377

Sandusky county municipal court until December 31, 2013. 378

In the Shaker Heights municipal court, one full-time judge 379
shall be elected in 1957. 380

In the Shelby municipal court, one part-time judge shall be 381
elected in 1957. 382

In the Sidney municipal court, one full-time judge shall be 383
elected in 1995. 384

In the South Euclid municipal court, one full-time judge 385
shall be elected in 1999. The part-time judge elected in 1993, 386
whose term commenced on January 1, 1994, shall serve until 387
December 31, 1999, and the office of that judge is abolished on 388
January 1, 2000. 389

In the Springfield municipal court, two full-time judges 390
shall be elected in 1985, and one full-time judge shall be elected 391
in 1983, all of whom shall serve as the judges of the Springfield 392
municipal court through December 31, 1987, and as the judges of 393
the Clark county municipal court from January 1, 1988, until the 394
end of their respective terms. 395

In the Steubenville municipal court, one full-time judge 396
shall be elected in 1953. 397

In the Stow municipal court, one full-time judge shall be 398
elected in 2009, and one full-time judge shall be elected in 2013. 399
Beginning January 1, 2009, the judge of the Cuyahoga Falls 400
municipal court that existed prior to that date whose term 401
commenced on January 1, 2008, shall serve as a full-time judge of 402
the Stow municipal court until December 31, 2013. Beginning 403
January 1, 2009, the judge of the Cuyahoga Falls municipal court 404
that existed prior to that date whose term commenced on January 1, 405
2004, shall serve as a full-time judge of the Stow municipal court 406
until December 31, 2009. 407

In the Struthers municipal court, one part-time judge shall 408
be elected in 1963. 409

In the Sylvania municipal court, one full-time judge shall be 410
elected in 1963. 411

In the Tiffin municipal court, one full-time judge shall be 412
elected in 1953. 413

In the Toledo municipal court, two full-time judges shall be 414
elected in 1971, four full-time judges shall be elected in 1975, 415
and one full-time judge shall be elected in 1973. 416

In the Upper Sandusky municipal court, one full-time judge 417
shall be elected in 2011. The part-time judge elected in 2005, 418
whose term commenced on January 1, 2006, shall serve as a 419
full-time judge on and after January 1, 2008, until the expiration 420
of that judge's term on December 31, 2011, and the office of that 421
judge is abolished on January 1, 2012. 422

In the Vandalia municipal court, one full-time judge shall be 423
elected in 1959. 424

In the Van Wert municipal court, one full-time judge shall be 425
elected in 1957. 426

In the Vermilion municipal court, one part-time judge shall 427
be elected in 1965. 428

In the Wadsworth municipal court, one full-time judge shall 429
be elected in 1981. 430

In the Warren municipal court, one full-time judge shall be 431
elected in 1951, and one full-time judge shall be elected in 1971. 432

In the Washington Court House municipal court, one full-time 433
judge shall be elected in 1999. The part-time judge elected in 434
1993, whose term commenced on January 1, 1994, shall serve until 435
December 31, 1999, and the office of that judge is abolished on 436
January 1, 2000. 437

In the Wayne county municipal court, one full-time judge 438
shall be elected in 1975, and one full-time judge shall be elected 439
in 1979. 440

In the Willoughby municipal court, one full-time judge shall 441
be elected in 1951. 442

In the Wilmington municipal court, one full-time judge shall 443
be elected in 1991, who shall serve as the judge of the Wilmington 444
municipal court through June 30, 1992, and as the judge of the 445
Clinton county municipal court from July 1, 1992, until the end of 446
that judge's term on December 31, 1997. 447

In the Xenia municipal court, one full-time judge shall be 448
elected in 1977. 449

In the Youngstown municipal court, one full-time judge shall 450
be elected in 1951, and ~~two~~ one full-time ~~judges~~ judge shall be 451
elected in ~~1953~~ 2013. 452

In the Zanesville municipal court, one full-time judge shall 453
be elected in 1953. 454

Sec. 1905.01. (A) In Georgetown in Brown county, in Mount 455
Gilead in Morrow county, in any municipal corporation located 456
entirely on an island in Lake Erie, and in all other municipal 457
corporations having a population of more than ~~one~~ two hundred, 458
other than Batavia in Clermont county, not being the site of a 459
municipal court nor a place where a judge of the Auglaize county, 460
Crawford county, Jackson county, Miami county, Montgomery county, 461
Portage county, or Wayne county municipal court sits as required 462
pursuant to section 1901.021 of the Revised Code or by designation 463
of the judges pursuant to section 1901.021 of the Revised Code, 464
the mayor of the municipal corporation has jurisdiction, except as 465
provided in divisions (B), (C), and (E) of this section and 466
subject to the limitation contained in section 1905.03 and the 467

limitation contained in section 1905.031 of the Revised Code, to 468
hear and determine any prosecution for the violation of an 469
ordinance of the municipal corporation, to hear and determine any 470
case involving a violation of a vehicle parking or standing 471
ordinance of the municipal corporation unless the violation is 472
required to be handled by a parking violations bureau or joint 473
parking violations bureau pursuant to Chapter 4521. of the Revised 474
Code, and to hear and determine all criminal causes involving any 475
moving traffic violation occurring on a state highway located 476
within the boundaries of the municipal corporation, subject to the 477
limitations of sections 2937.08 and 2938.04 of the Revised Code. 478

(B)(1) In Georgetown in Brown county, in Mount Gilead in 479
Morrow county, in any municipal corporation located entirely on an 480
island in Lake Erie, and in all other municipal corporations 481
having a population of more than ~~one~~ two hundred, other than 482
Batavia in Clermont county, not being the site of a municipal 483
court nor a place where a judge of a court listed in division (A) 484
of this section sits as required pursuant to section 1901.021 of 485
the Revised Code or by designation of the judges pursuant to 486
section 1901.021 of the Revised Code, the mayor of the municipal 487
corporation has jurisdiction, subject to the limitation contained 488
in section 1905.03 of the Revised Code, to hear and determine 489
prosecutions involving a violation of an ordinance of the 490
municipal corporation relating to operating a vehicle while under 491
the influence of alcohol, a drug of abuse, or a combination of 492
them or relating to operating a vehicle with a prohibited 493
concentration of alcohol, a controlled substance, or a metabolite 494
of a controlled substance in the whole blood, blood serum or 495
plasma, breath, or urine, and to hear and determine criminal 496
causes involving a violation of section 4511.19 of the Revised 497
Code that occur on a state highway located within the boundaries 498
of the municipal corporation, subject to the limitations of 499

sections 2937.08 and 2938.04 of the Revised Code, only if the 500
person charged with the violation, within six years of the date of 501
the violation charged, has not been convicted of or pleaded guilty 502
to any of the following: 503

(a) A violation of an ordinance of any municipal corporation 504
relating to operating a vehicle while under the influence of 505
alcohol, a drug of abuse, or a combination of them or relating to 506
operating a vehicle with a prohibited concentration of alcohol, a 507
controlled substance, or a metabolite of a controlled substance in 508
the whole blood, blood serum or plasma, breath, or urine; 509

(b) A violation of section 4511.19 of the Revised Code; 510

(c) A violation of any ordinance of any municipal corporation 511
or of any section of the Revised Code that regulates the operation 512
of vehicles, streetcars, and trackless trolleys upon the highways 513
or streets, to which all of the following apply: 514

(i) The person, in the case in which the conviction was 515
obtained or the plea of guilty was entered, had been charged with 516
a violation of an ordinance of a type described in division 517
(B)(1)(a) of this section, or with a violation of section 4511.19 518
of the Revised Code; 519

(ii) The charge of the violation described in division 520
(B)(1)(c)(i) of this section was dismissed or reduced; 521

(iii) The violation of which the person was convicted or to 522
which the person pleaded guilty arose out of the same facts and 523
circumstances and the same act as did the charge that was 524
dismissed or reduced. 525

(d) A violation of a statute of the United States or of any 526
other state or a municipal ordinance of a municipal corporation 527
located in any other state that is substantially similar to 528
section 4511.19 of the Revised Code. 529

(2) The mayor of a municipal corporation does not have 530
jurisdiction to hear and determine any prosecution or criminal 531
cause involving a violation described in division (B)(1)(a) or (b) 532
of this section, regardless of where the violation occurred, if 533
the person charged with the violation, within six years of the 534
violation charged, has been convicted of or pleaded guilty to any 535
violation listed in division (B)(1)(a), (b), (c), or (d) of this 536
section. 537

If the mayor of a municipal corporation, in hearing a 538
prosecution involving a violation of an ordinance of the municipal 539
corporation the mayor serves relating to operating a vehicle while 540
under the influence of alcohol, a drug of abuse, or a combination 541
of them or relating to operating a vehicle with a prohibited 542
concentration of alcohol, a controlled substance, or a metabolite 543
of a controlled substance in the whole blood, blood serum or 544
plasma, breath, or urine, or in hearing a criminal cause involving 545
a violation of section 4511.19 of the Revised Code, determines 546
that the person charged, within six years of the violation 547
charged, has been convicted of or pleaded guilty to any violation 548
listed in division (B)(1)(a), (b), (c), or (d) of this section, 549
the mayor immediately shall transfer the case to the county court 550
or municipal court with jurisdiction over the violation charged, 551
in accordance with section 1905.032 of the Revised Code. 552

(C)(1) In Georgetown in Brown county, in Mount Gilead in 553
Morrow county, in any municipal corporation located entirely on an 554
island in Lake Erie, and in all other municipal corporations 555
having a population of more than ~~one~~ two hundred, other than 556
Batavia in Clermont county, not being the site of a municipal 557
court and not being a place where a judge of a court listed in 558
division (A) of this section sits as required pursuant to section 559
1901.021 of the Revised Code or by designation of the judges 560
pursuant to section 1901.021 of the Revised Code, the mayor of the 561

municipal corporation, subject to sections 1901.031, 2937.08, and 562
2938.04 of the Revised Code, has jurisdiction to hear and 563
determine prosecutions involving a violation of a municipal 564
ordinance that is substantially equivalent to division (A) of 565
section 4510.14 or section 4510.16 of the Revised Code and to hear 566
and determine criminal causes that involve a moving traffic 567
violation, that involve a violation of division (A) of section 568
4510.14 or section 4510.16 of the Revised Code, and that occur on 569
a state highway located within the boundaries of the municipal 570
corporation only if all of the following apply regarding the 571
violation and the person charged: 572

(a) Regarding a violation of section 4510.16 of the Revised 573
Code or a violation of a municipal ordinance that is substantially 574
equivalent to that division, the person charged with the 575
violation, within six years of the date of the violation charged, 576
has not been convicted of or pleaded guilty to any of the 577
following: 578

(i) A violation of section 4510.16 of the Revised Code; 579

(ii) A violation of a municipal ordinance that is 580
substantially equivalent to section 4510.16 of the Revised Code; 581

(iii) A violation of any municipal ordinance or section of 582
the Revised Code that regulates the operation of vehicles, 583
streetcars, and trackless trolleys upon the highways or streets, 584
in a case in which, after a charge against the person of a 585
violation of a type described in division (C)(1)(a)(i) or (ii) of 586
this section was dismissed or reduced, the person is convicted of 587
or pleads guilty to a violation that arose out of the same facts 588
and circumstances and the same act as did the charge that was 589
dismissed or reduced. 590

(b) Regarding a violation of division (A) of section 4510.14 591
of the Revised Code or a violation of a municipal ordinance that 592

is substantially equivalent to that division, the person charged 593
with the violation, within six years of the date of the violation 594
charged, has not been convicted of or pleaded guilty to any of the 595
following: 596

(i) A violation of division (A) of section 4510.14 of the 597
Revised Code; 598

(ii) A violation of a municipal ordinance that is 599
substantially equivalent to division (A) of section 4510.14 of the 600
Revised Code; 601

(iii) A violation of any municipal ordinance or section of 602
the Revised Code that regulates the operation of vehicles, 603
streetcars, and trackless trolleys upon the highways or streets in 604
a case in which, after a charge against the person of a violation 605
of a type described in division (C)(1)(b)(i) or (ii) of this 606
section was dismissed or reduced, the person is convicted of or 607
pleads guilty to a violation that arose out of the same facts and 608
circumstances and the same act as did the charge that was 609
dismissed or reduced. 610

(2) The mayor of a municipal corporation does not have 611
jurisdiction to hear and determine any prosecution or criminal 612
cause involving a violation described in division (C)(1)(a)(i) or 613
(ii) of this section if the person charged with the violation, 614
within six years of the violation charged, has been convicted of 615
or pleaded guilty to any violation listed in division 616
(C)(1)(a)(i), (ii), or (iii) of this section and does not have 617
jurisdiction to hear and determine any prosecution or criminal 618
cause involving a violation described in division (C)(1)(b)(i) or 619
(ii) of this section if the person charged with the violation, 620
within six years of the violation charged, has been convicted of 621
or pleaded guilty to any violation listed in division 622
(C)(1)(b)(i), (ii), or (iii) of this section. 623

(3) If the mayor of a municipal corporation, in hearing a prosecution involving a violation of an ordinance of the municipal corporation the mayor 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, determines that, under division (C)(2) of this section, mayors do not have jurisdiction of the prosecution, the mayor immediately shall transfer the case to the county court or municipal court with jurisdiction over the violation in accordance with section 1905.032 of the Revised Code.

(D) If the mayor of a municipal corporation has jurisdiction pursuant to division (B)(1) of this section to hear and determine a prosecution or criminal cause involving a violation described in division (B)(1)(a) or (b) of this section, the authority of the mayor to hear or determine the prosecution or cause is subject to the limitation contained in division (C) of section 1905.03 of the Revised Code. If the mayor of a municipal corporation has jurisdiction pursuant to division (A) or (C) of this section to hear and determine a prosecution or criminal cause involving a violation other than a violation described in division (B)(1)(a) or (b) of this section, the authority of the mayor to hear or determine the prosecution or cause is subject to the limitation contained in division (C) of section 1905.031 of the Revised Code.

(E)(1) The mayor of a municipal corporation does not have jurisdiction to hear and determine any prosecution or criminal cause 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 656
substantially equivalent to an offense described in division 657
(E)(1)(a) or (b) of this section and that involves a person who 658
was a family or household member of the defendant at the time of 659
the violation. 660

(2) The mayor of a municipal corporation does not have 661
jurisdiction to hear and determine a motion filed pursuant to 662
section 2919.26 of the Revised Code or filed pursuant to a 663
municipal ordinance that is substantially equivalent to that 664
section or to issue a protection order pursuant to that section or 665
a substantially equivalent municipal ordinance. 666

(3) As used in this section, "family or household member" has 667
the same meaning as in section 2919.25 of the Revised Code. 668

(F) In keeping a docket and files, the mayor, and a mayor's 669
court magistrate appointed under section 1905.05 of the Revised 670
Code, shall be governed by the laws pertaining to county courts. 671

Sec. 4511.204. (A) No person shall drive a motor vehicle, 672
trackless trolley, or streetcar on any street, highway, or 673
property open to the public for vehicular traffic while using a 674
handheld electronic wireless communications device to write, send, 675
or read a text-based communication. 676

(B) Division (A) of this section does not apply to any of the 677
following: 678

(1) A person using a handheld electronic wireless 679
communications device in that manner for emergency purposes, 680
including an emergency contact with a law enforcement agency, 681
hospital or health care provider, fire department, or other 682
similar emergency agency or entity; 683

(2) A person driving a public safety vehicle who uses a 684
handheld electronic wireless communications device in that manner 685

in the course of the person's duties; 686

(3) A person using a handheld electronic wireless 687
communications device in that manner whose motor vehicle is in a 688
stationary position and who is outside a lane of travel; 689

(4) A person reading, selecting, or entering a name or 690
telephone number in a handheld electronic wireless communications 691
device for the purpose of making or receiving a telephone call; 692

(5) A person receiving wireless messages on a device 693
regarding the operation or navigation of a motor vehicle; 694
safety-related information, including emergency, traffic, or 695
weather alerts; or data used primarily by the motor vehicle; 696

(6) A person receiving wireless messages via radio waves; 697

(7) A person using a device for navigation purposes; 698

(8) A person conducting wireless interpersonal communication 699
with a device that does not require manually entering letters, 700
numbers, or symbols or reading text messages, except to activate, 701
deactivate, or initiate the device or a feature or function of the 702
device; 703

(9) A person operating a commercial truck while using a 704
mobile data terminal that transmits and receives data; 705

(10) A person using a handheld electronic wireless 706
communications device in conjunction with a voice-operated or 707
hands-free device feature or function of the vehicle. 708

(C) Notwithstanding any provision of law to the contrary, no 709
law enforcement officer shall cause an operator of an automobile 710
being operated on any street or highway to stop the automobile for 711
the sole purpose of determining whether a violation of division 712
(A) of this section has been or is being committed or for the sole 713
purpose of issuing a ticket, citation, or summons for a violation 714
of that nature or causing the arrest of or commencing a 715

prosecution of a person for a violation of that nature, and no law 716
enforcement officer shall view the interior or visually inspect 717
any automobile being operated on any street or highway for the 718
sole purpose of determining whether a violation of that nature has 719
been or is being committed. 720

(D) Whoever violates division (A) of this section is guilty 721
of a minor misdemeanor. 722

(E) This section shall not be construed as invalidating, 723
preempting, or superseding a substantially equivalent municipal 724
ordinance that prescribes penalties for violations of that 725
ordinance that are greater than the penalties prescribed in this 726
section for violations of this section. 727

(F) A prosecution for a violation of this section does not 728
preclude a prosecution for a violation of a substantially 729
equivalent municipal ordinance based on the same conduct. However, 730
if an offender is convicted of or pleads guilty to a violation of 731
this section and is also convicted of or pleads guilty to a 732
violation of a substantially equivalent municipal ordinance based 733
on the same conduct, the two offenses are allied offenses of 734
similar import under section 2941.25 of the Revised Code. 735

(G) As used in this section: 736

(1) "Electronic wireless communications device" includes any 737
of the following: 738

(a) A wireless telephone; 739

(b) A text-messaging device; 740

(c) A personal digital assistant; 741

(d) A computer, including a laptop computer and a computer 742
tablet; 743

(e) Any other substantially similar wireless device that is 744
designed or used to communicate text. 745

(2) "Voice-operated or hands-free device" means a device that 746
allows the user to vocally compose or send, or to listen to a 747
text-based communication without the use of either hand except to 748
activate or deactivate a feature or function. 749

(3) "Write, send, or read a text-based communication" means 750
to manually write or send, or read a text-based communication 751
using an electronic wireless communications device, including 752
manually writing or sending, or reading communications referred to 753
as text messages, instant messages, or electronic mail. 754

Sec. 4511.205. (A) No holder of a temporary instruction 755
permit who has not attained the age of eighteen years and no 756
holder of a probationary driver's license shall drive a motor 757
vehicle on any street, highway, or property used by the public for 758
purposes of vehicular traffic or parking while using in any manner 759
an electronic wireless communications device. 760

(B) Division (A) of this section does not apply to either of 761
the following: 762

(1) A person using an electronic wireless communications 763
device for emergency purposes, including an emergency contact with 764
a law enforcement agency, hospital or health care provider, fire 765
department, or other similar emergency agency or entity; 766

(2) A person using an electronic wireless communications 767
device whose motor vehicle is in a stationary position and the 768
motor vehicle is outside a lane of travel; 769

(3) A person using a navigation device in a voice-operated or 770
hands-free manner who does not manipulate the device while 771
driving. 772

(C)(1) Except as provided in division (C)(2) of this section, 773
whoever violates division (A) of this section shall be fined one 774
hundred fifty dollars. In addition, the court shall impose a class 775

seven suspension of the offender's driver's license or permit for 776
a definite period of sixty days. 777

(2) If the ~~offender~~ person previously has been ~~convicted of~~ 778
adjudicated a delinquent child or a juvenile traffic offender for 779
a violation of this section, whoever violates this section shall 780
be fined three hundred dollars. In addition, the court shall 781
impose a class seven suspension of the ~~offender's~~ person's 782
driver's license or permit for a definite period of one year. 783

(D) The filing of a sworn complaint against a person for a 784
violation of this section does not preclude the filing of a sworn 785
complaint for a violation of a substantially equivalent municipal 786
ordinance for the same conduct. However, if a person is 787
adjudicated a delinquent child or a juvenile traffic offender for 788
a violation of this section and is also adjudicated a delinquent 789
child or a juvenile traffic offender for a violation of a 790
substantially equivalent municipal ordinance for the same conduct, 791
the two offenses are allied offenses of similar import under 792
section 2941.25 of the Revised Code. 793

(E) As used in this section, "electronic wireless 794
communications device" includes any of the following: 795

(1) A wireless telephone; 796

(2) A personal digital assistant; 797

(3) A computer, including a laptop computer and a computer 798
tablet; 799

(4) A text-messaging device; 800

(5) Any other substantially similar electronic wireless 801
device that is designed or used to communicate via voice, image, 802
or written word. 803

Section 2. That existing sections 1901.08, 1905.01, 4511.204, 804
and 4511.205 of the Revised Code are hereby repealed. 805

Section 3. The judgeship of the Youngstown Municipal Court 806
that is abolished by this act is the judgeship whose term began on 807
January 1, 2008. The term of the judge elected in 2013 to succeed 808
the judge whose term began on January 2, 2008, shall begin on 809
January 1, 2014. 810

Section 4. (A) Upon the effective date of this act, within 811
each municipal corporation with a population of two hundred or 812
less, except for any municipal corporation located entirely on an 813
island in Lake Erie, the jurisdiction of the mayor in all civil 814
and criminal causes that otherwise was granted under section 815
1905.01 of the Revised Code prior to the effective date of this 816
act terminates. Upon the effective date of this act, all 817
prosecutions, cases, criminal causes, and other proceedings then 818
pending in a mayor's court of a municipal corporation that has a 819
population of two hundred or less and is not located entirely on 820
an island in Lake Erie shall be transferred to and proceed in the 821
municipal court, county court, or court of common pleas with 822
jurisdiction over the alleged violation that is the basis of the 823
prosecution, case, cause, or proceeding, as if the prosecution, 824
case, cause, or proceeding originally had been instituted in the 825
municipal court, county court, or court of common pleas. 826

(B) Upon the transfer of a prosecution, case, criminal cause, 827
or other proceeding to a municipal court, county court, or court 828
of common pleas under division (A) of this section, the mayor of 829
the municipal corporation before whom the prosecution, case, 830
cause, or proceeding was pending upon the effective date of this 831
act shall transfer to the municipal court, county court, or court 832
of common pleas the pleadings, orders, entries, dockets, bonds, 833
papers, records, books, exhibits, files, moneys, property, and 834
persons that belong to, are in the possession of, or were subject 835
to the jurisdiction of the mayor and that pertain to the 836
transferred prosecution, case, cause, or proceeding. 837