

As Introduced

131st General Assembly

Regular Session

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H. B. No. 335

Representatives Craig, Grossman

Cosponsors: Representatives Brenner, Becker, Smith, K., O'Brien, M., Boyce

A BILL

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

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

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

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

(2) The municipal court has exclusive jurisdiction over
the violation or infraction of every traffic ordinance of any

municipal corporation within its territory except as follows: 19

(a) The mayor of the municipal corporation has 20
jurisdiction over the violation pursuant to section 1905.01 of 21
the Revised Code, 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
shall proceed to a final determination of the prosecution or
case.

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

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

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

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

Sec. 1907.02. (A) (1) In addition to other jurisdiction

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
written decision rendered by a hearing officer under section
4511.099 of the Revised Code if the hearing officer that
rendered the decision was appointed by a local authority within
the jurisdiction of the court.

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

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

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

Section 2. That existing sections 1901.20 and 1907.02 of

the Revised Code are hereby repealed.

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