

As Reported by the House Criminal Justice Committee

132nd General Assembly

Regular Session

2017-2018

H. B. No. 354

Representative Reineke

**Cosponsors: Representatives Gavarone, Goodman, Sprague, Manning, Rezabek,
Celebrezze, Galonski, Lang, Rogers**

A BILL

To enact section 1901.186 of the Revised Code to 1
provide the Tiffin-Fostoria municipal court with 2
concurrent jurisdiction with the Seneca County 3
court of common pleas in operating a drug 4
addiction recovery program. 5

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

Section 1. That section 1901.186 of the Revised Code be 6
enacted to read as follows: 7

Sec. 1901.186. (A) As used in this section: 8

(1) "Felony sex offense" has the same meaning as in 9
section 2967.28 of the Revised Code. 10

(2) "Offense of violence" has the same meaning as in 11
section 2901.01 of the Revised Code. 12

(3) "Informant" means a person who is assisting a law 13
enforcement agency in a criminal investigation by purchasing 14
controlled substances from others in return for compensation 15
from the law enforcement agency. 16

(B) In addition to all other jurisdictions granted a 17
municipal court in this chapter, except as provided in division 18
(C) of this section, the Tiffin-Fostoria municipal court has 19
concurrent jurisdiction with the Seneca county court of common 20
pleas in all criminal actions or proceedings to which both of 21
the following apply: 22

(1) The court finds that the offender's addiction to a 23
drug of abuse was the primary factor leading to the offender's 24
commission of the offense charged. 25

(2) The offender is admitted to participate in the 26
participating in victory of transition (PIVOT) drug recovery 27
program. 28

(C) The Tiffin-Fostoria municipal court does not have 29
concurrent jurisdiction with the Seneca county court of common 30
pleas in a criminal action or proceeding when any of the 31
following applies: 32

(1) The defendant is not a resident of Seneca county. 33

(2) The defendant is charged with a felony offense of 34
violence. 35

(3) The defendant is charged with a felony sex offense or 36
has a duty to comply with sections 2950.04, 2950.041, 2950.05, 37
and 2950.06 of the Revised Code. 38

(4) The defendant is charged with a felony violation of 39
section 2925.04 or 2925.041 of the Revised Code. 40

(5) The defendant is under a community control sanction or 41
post-release control sanction imposed by another court or is on 42
parole or probation under the supervision of another 43
jurisdiction. 44

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| <u>(6) Criminal proceedings are pending against the defendant</u> | 45 |
| <u>for a felony offense in another jurisdiction.</u> | 46 |
| <u>(7) The defendant is serving a prison term imposed by</u> | 47 |
| <u>another court.</u> | 48 |
| <u>(8) The defendant is engaged as an informant for a law</u> | 49 |
| <u>enforcement agency.</u> | 50 |
| <u>(D) The concurrent jurisdiction granted by this section</u> | 51 |
| <u>shall expire five years after the effective date of this</u> | 52 |
| <u>section, unless renewed or made permanent by the general</u> | 53 |
| <u>assembly prior to its expiration.</u> | 54 |