

Sub. S.B. 3
I_133_0567-3

Topic: Court jurisdiction over reclassified misdemeanor drug possession offenses

_____ moved to amend as follows:

In line 8 of the title, after "2929.34," insert "2931.03,"	1
In line 33, after "2929.15," insert "2931.03,"	2
After line 106, insert:	3
<u>"(9) The defendant is charged in the Tiffin-Fostoria</u>	4
<u>municipal court with a reclassified misdemeanor drug possession</u>	5
<u>offense, as defined in section 1901.20 of the Revised Code, and</u>	6
<u>the case is transferred to the Seneca county court of common pleas</u>	7
<u>under division (A)(3) of that section. If the case is not</u>	8
<u>transferred to the Seneca county court of common pleas under</u>	9
<u>division (A)(3) of that section, the Tiffin-Fostoria municipal</u>	10
<u>court has exclusive jurisdiction over all actions or proceedings</u>	11
<u>in the case."</u>	12
Delete lines 111 through 114	13
In line 149, delete everything after " <u>(3)</u> "	14
Delete lines 150 through 159	15
In line 161, delete the underlined comma	16
Delete lines 162 through 170 and insert " <u>and the person is</u>	17
<u>charged with the offense, the charges shall be filed in the</u>	18

municipal court. After the charges are filed in the municipal 19
court, the municipal court, on the motion of the prosecutor in the 20
case, on the motion of the defendant, or on its own motion, may 21
transfer the case to the court of common pleas of the county in 22
which the offense was committed. If the municipal court transfers 23
the case to the court of common pleas, the court of common pleas 24
has exclusive jurisdiction over all actions or proceedings in the 25
case. If the municipal court does not transfer the case to the 26
court of common pleas, the municipal court has exclusive 27
jurisdiction over all actions or proceedings in the case." 28

In line 171, delete the underlined colon and insert "," 29
"reclassified" 30

In line 172, delete "(a) "Reclassified"" 31

In line 179, delete "(i)" and insert "(a)" 32

In line 183, delete "(ii)" and insert "(b)" 33

In line 185, delete "(i)" 34

In line 188, delete "(iii)" and insert "(c)" 35

Delete lines 194 through 206 36

In line 239, delete everything after "(3)" 37

Delete lines 240 through 245 38

In line 247, delete ", the" 39

Delete lines 248 through 256 and insert "and the person is 40
charged with the offense, the charges shall be filed in the county 41
court. After the charges are filed in the county court, the county 42
court, on the motion of the prosecutor in the case, on the motion 43
of the defendant, or on its own motion, may transfer the case to 44
the court of common pleas of the county in which the offense was 45
committed. If the county court transfers the case to the court of 46

common pleas, the court of common pleas has exclusive jurisdiction 47
over all actions or proceedings in the case. If the county court 48
does not transfer the case to the court of common pleas, the 49
county court has exclusive jurisdiction over all actions or 50
proceedings in the case." 51

In line 258, delete the underlined comma; delete 52
 "appropriate" 53

Delete line 259 54

In line 260, delete "program have" and insert "has"; delete 55
 "meanings" and insert "meaning" 56

After line 6048, insert: 57

"**Sec. 2931.03.** The court of common pleas has original 58
 jurisdiction of all crimes and offenses, including in cases 59
transferred to the court under division (A)(3) of section 1901.20 60
or division (A)(3) of section 1907.02 of the Revised Code, except 61
that the court of common pleas does not have original jurisdiction 62
 in cases of minor offenses the exclusive jurisdiction of which is 63
 vested in courts inferior to the court of common pleas. 64

A judge of a court of common pleas does not have the 65
 authority to dismiss a criminal complaint, charge, information, or 66
 indictment solely at the request of the complaining witness and 67
 over the objection of the prosecuting attorney or other chief 68
 legal officer who is responsible for the prosecution of the case." 69

In line 6816, after "2929.15," insert "2931.03," 70

The motion was _____ agreed to.