

As Reported by the Senate Judiciary Committee

134th General Assembly

Regular Session

2021-2022

Sub. H. B. No. 286

Representative Seitz

Cosponsors: Representatives Abrams, Bird, Click, Cross, Fowler Arthur, Grendell, Gross, Jordan, McClain, Riedel, Schmidt, Stoltzfus, Swearingen, Hillyer, Cutrona, Kick, Carruthers, Holmes, Johnson, Jones, Merrin, Stevens, Stewart, Wiggam, Young, T.

Senators Manning, Gavarone

A BILL

To amend sections 107.43, 109.02, 119.12, 124.34, 1
956.11, 956.15, 1901.02, 1901.021, 1901.041, 2
2301.03, 2743.03, 3794.09, 3901.321, 3913.13, 3
3913.23, 5101.35, and 5164.38 and to enact 4
sections 101.55, 107.13, 303.65, 519.26, and 5
713.16 of the Revised Code to generally change 6
the venue in which appeal from an agency order 7
is proper to the local court of common pleas, to 8
provide that a civil action to challenge a state 9
administrative order issued in a state of 10
emergency be brought in the Court of Claims, to 11
revise the law governing claim preclusion in 12
zoning appeals, to revise the law governing the 13
referral of cases to the Hamilton County Drug 14
Court, to transfer Perry Township in Wood County 15
from the territorial jurisdiction of the Tiffin- 16
Fostoria Municipal Court to the territorial 17
jurisdiction of the Bowling Green Municipal 18
Court, to allow the General Assembly to 19
intervene in certain actions, and to allow the 20

General Assembly and the Governor to retain 21
special counsel. 22

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

Section 1. That sections 107.43, 109.02, 119.12, 124.34, 23
956.11, 956.15, 1901.02, 1901.021, 1901.041, 2301.03, 2743.03, 24
3794.09, 3901.321, 3913.13, 3913.23, 5101.35, and 5164.38 be 25
amended and sections 101.55, 107.13, 303.65, 519.26, and 713.16 26
of the Revised Code be enacted to read as follows: 27

Sec. 101.55. (A) In any action or proceeding in state or 28
federal court that involves a challenge to the validity, 29
applicability, or constitutionality of the constitution or laws 30
of this state, the house of representatives, the senate, and the 31
general assembly may intervene in the action or proceeding at 32
any time as a matter of right. The speaker of the house of 33
representatives has sole authority to act on behalf of the house 34
of representatives under this division, the president of the 35
senate has sole authority to act on behalf of the senate under 36
this division, and the speaker of the house of representatives 37
and the president of the senate, acting jointly, have sole 38
authority to act on behalf of the general assembly under this 39
division. Intervention under this division is perfected upon the 40
filing of a notice of intervention of right as a necessary party 41
with the court in which the matter is pending, regardless of the 42
stage of the proceeding. 43

(B) (1) The speaker of the house of representatives, acting 44
on behalf of the house of representatives, may retain legal 45
counsel other than from the attorney general to represent the 46

house in any matter, action, or proceeding described in division 47
(A) of this section or in any other matter, action, or 48
proceeding in which the interests of the house of 49
representatives may be affected, as determined solely by the 50
speaker. The speaker shall approve all terms of representation 51
and authorize payment for all financial costs incurred under 52
this section. 53

(2) The president of the senate, acting on behalf of the 54
senate, may retain legal counsel other than from the attorney 55
general to represent the senate in any matter, action, or 56
proceeding described in division (A) of this section or in any 57
other matter, action, or proceeding in which the interests of 58
the senate may be affected, as determined solely by the 59
president. The president shall approve all terms of 60
representation and authorize payment for all financial costs 61
incurred under this section. 62

(3) The speaker of the house of representatives and the 63
president of the senate, acting jointly on behalf of the general 64
assembly, may retain legal counsel other than from the attorney 65
general to represent the general assembly in any matter, action, 66
or proceeding described in division (A) of this section or in 67
any other matter, action, or proceeding in which the interests 68
of the general assembly may be affected, as jointly determined 69
solely by the speaker and the president. The speaker and the 70
president shall jointly approve all terms of representation and 71
authorize payment for all financial costs incurred under this 72
section. 73

(4) No person may retain legal counsel on behalf of the 74
house of representatives, the senate, or the general assembly, 75
or on behalf of any member of the general assembly in the 76

member's official capacity, except as authorized under this 77
section and section 109.02 of the Revised Code. 78

(C) Notwithstanding any contrary provision of law, nothing 79
in this section constitutes a waiver of the legislative immunity 80
or legislative privilege of the speaker, the president, or any 81
member, officer, or staff of either house of the general 82
assembly. 83

Sec. 107.13. The governor may retain legal counsel, other 84
than from the attorney general, in any matter, action, or 85
proceeding the governor deems to be necessary and proper to 86
protect the interests of the office of the governor. The 87
governor shall approve all terms of representation and authorize 88
payment for all financial costs incurred under this section. 89

Sec. 107.43. (A) As used in this section: 90

"Administrative department" means a department listed 91
under section 121.02 of the Revised Code. 92

"Administrative department head" means a department head 93
listed under section 121.03 of the Revised Code. 94

"Internal management rule" means any rule, regulation, or 95
standard governing the day-to-day staff procedures and staff 96
operations within an administrative department or state agency, 97
or within the office of an administrative department head or 98
statewide elected officer. 99

"Rule" means, unless the context dictates otherwise, any 100
rule, regulation, or standard adopted, promulgated, and enforced 101
by a statewide elected officer, administrative department, 102
administrative department head, or state agency under the 103
authority of the laws governing such officer, department, 104
department head, or state agency. "Rule" does not include an 105

internal management rule.	106
"State agency" means any organized body, office, agency,	107
commission, board, institution, or other entity established by	108
the laws of the state for the exercise of any function of state	109
government. "State agency" does not include a court.	110
"State of emergency" has the meaning defined in section	111
107.42 of the Revised Code.	112
"Statewide elected officer" means the governor, lieutenant	113
governor, secretary of state, auditor of state, attorney	114
general, and treasurer of state.	115
(B) Beginning the day the governor declares a state of	116
emergency, the governor and the department of health promptly	117
shall report to the president of the senate and the speaker of	118
the house of representatives every action the governor or	119
department takes in response to the state of emergency,	120
including actions by the department or director of health under	121
sections 3701.13 and 3701.14 of the Revised Code.	122
(C) (1) If the governor declares a state of emergency, the	123
general assembly may do any of the following by adopting a	124
concurrent resolution:	125
(a) Rescind, in whole or in part, any order or rule issued	126
or adopted by an administrative department, administrative	127
department head, state agency, or statewide elected officer in	128
response to a state of emergency, including an order to	129
authorize an agency to adopt, amend, or rescind rules under	130
division (G) of section 119.03 of the Revised Code. This	131
division does not apply to an order issued to declare a state of	132
emergency.	133
(b) Invalidate, in whole or in part, an emergency rule	134

adopted or amended by an agency in response to the state of 135
emergency and pursuant to an emergency order the governor issues 136
under division (G) (1) of section 119.03 of the Revised Code; 137

(c) Authorize a rule rescinded by an agency under division 138
(G) (1) of section 119.03 of the Revised Code in response to the 139
state of emergency to be readopted, in whole or in part; 140

(d) Invalidate, in whole or in part, an emergency rule 141
adopted by an agency in response to the state of emergency 142
pursuant to division (B) (2) of section 111.15 of the Revised 143
Code. 144

(2) If the general assembly rescinds an order or rule, or 145
a portion thereof, the administrative department, administrative 146
department head, state agency, or statewide elected officer 147
shall not reissue that order or rule, the rescinded portion, a 148
substantially similar order, rule, or portion, or any 149
restriction contained in the rescinded order or rule or 150
rescinded portion, for a period of sixty calendar days following 151
the adoption of the concurrent resolution by the general 152
assembly, except as provided in division (C) (3) of this section. 153

(3) (a) Within sixty calendar days of the general assembly 154
rescinding an order or rule under division (C) (1) of this 155
section, the governor, on behalf of an administrative 156
department, an administrative department head, or a state 157
agency, may submit a request to the general assembly to 158
authorize an administrative department, an administrative 159
department head, or a state agency to reissue a rescinded order 160
or rule, rescinded portion thereof, a substantially similar 161
order, rule, or portion, or any restriction contained in the 162
rescinded order or rule or rescinded portion issued or adopted 163
by an administrative department, administrative department head, 164

or state agency. Upon review, the general assembly may adopt a concurrent resolution authorizing the request, in whole or in part.

(b) Within sixty calendar days of the general assembly rescinding an order or rule under division (C)(1) of this section, a statewide elected officer may submit a request to the general assembly to reissue a rescinded order or rule, rescinded portion thereof, a substantially similar order, rule, or portion, or any restriction contained in the rescinded order or rule or rescinded portion issued or adopted by the statewide elected officer. Upon review, the general assembly may adopt a concurrent resolution authorizing the request, in whole or in part.

(D) (1) Notwithstanding any other provision of the Revised Code, a person who challenges an order or rule adopted by an administrative department, administrative department head, state agency, or statewide elected officer that is issued or adopted in response to a state of emergency, in a civil action for damages, declaratory judgment, injunctive relief, or other appropriate relief may do so in ~~an appropriate court located in the county where the person's residence or business is located~~ the court of claims.

(2) If a person successfully challenges an order or rule adopted by an administrative department, administrative department head, state agency, or statewide elected officer that is issued or adopted in response to a state of emergency, the administrative department, administrative department head, state agency, or statewide elected officer shall pay the person's reasonable attorney's fees and court costs.

(E) An order or rule issued or adopted in violation of

this section is invalid and has no legal effect. 195

Sec. 109.02. The attorney general is the chief law officer 196
for the state and all its departments and shall be provided with 197
adequate office space in Columbus. Except as provided in 198
division (E) of section 120.06 and in sections 101.55, 107.13, 199
and 3517.152 to 3517.157 of the Revised Code, no state officer 200
or board, or head of a department or institution of the state 201
shall employ, or be represented by, other counsel or attorneys 202
at law. The attorney general shall appear for the state in the 203
trial and argument of all civil and criminal causes in the 204
supreme court in which the state is directly or indirectly 205
interested. When required by the governor or the general 206
assembly, the attorney general shall appear for the state in any 207
court or tribunal in a cause in which the state is a party, or 208
in which the state is directly interested. Upon the written 209
request of the governor, the attorney general shall prosecute 210
any person indicted for a crime. 211

Sec. 119.12. ~~(A) (1) Except as provided in division (A) (2)~~ 212
~~or (3) of this section, any (A) Any party~~ adversely affected by 213
any order of an agency issued pursuant to an adjudication 214
~~denying an applicant admission to an examination, or denying the~~ 215
~~issuance or renewal of a license or registration of a licensee,~~ 216
~~or revoking or suspending a license, or allowing the payment of~~ 217
~~a forfeiture under section 4301.252 of the Revised Code may~~ 218
appeal from the order of the agency to the court of common pleas 219
of the county in which the place of business of the licensee is 220
located or the county in which the licensee is a 221
resident designated in division (B) of this section. 222

~~(2) (B)~~ An appeal from an order described in division ~~(A)~~ 223
~~(1) (A)~~ of this section shall be filed in the county designated 224

<u>as follows:</u>	225
<u>(1) Except as otherwise provided in division (B)(2) of</u>	226
<u>this section, an appeal from an order of an agency issued</u>	227
<u>pursuant to an adjudication denying an applicant admission to an</u>	228
<u>examination, denying the issuance or renewal of a license or</u>	229
<u>registration of a licensee, revoking or suspending a license, or</u>	230
<u>allowing the payment of a forfeiture under section 4301.252 of</u>	231
<u>the Revised Code shall be filed in the county in which the place</u>	232
<u>of business of the licensee is located or the county in which</u>	233
<u>the licensee is a resident.</u>	234
<u>(2) An appeal from an order issued by any of the following</u>	235
<u>agencies shall be made to the court of common pleas of Franklin</u>	236
<u>county or the court of common pleas in the county in which the</u>	237
<u>place of business of the licensee is located or the county in</u>	238
<u>which the licensee is a resident:</u>	239
(a) The liquor control commission;	240
(b) The Ohio casino control commission	241
(c) <u>The state medical board;</u>	242
(e) The (d) <u>The state chiropractic board;</u>	243
(d) The (e) <u>The board of nursing;</u>	244
(e) The (f) <u>The bureau of workers' compensation regarding</u>	245
participation in the health partnership program created in	246
sections 4121.44 and 4121.441 of the Revised Code.	247
(3) If any party appealing from an order described in	248
division (A)(1) of this section is not a resident of and has no	249
place of business in this state, the party may appeal to the	250
court of common pleas of Franklin county.	251

~~(B) Any party adversely affected by any order of an agency issued pursuant to any other adjudication may appeal to the court of common pleas of Franklin county, except that appeals~~ 252
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Appeals from orders of the fire marshal issued under Chapter 3737. of the Revised Code ~~may~~ shall be to the court of common pleas of the county in which the building of the aggrieved person is located ~~and except that appeals.~~ 255
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(4) Appeals under division (B) of section 124.34 of the Revised Code from a decision of the state personnel board of review or a municipal or civil service township civil service commission shall be taken to the court of common pleas of the county in which the appointing authority is located or, in the case of an appeal by the department of rehabilitation and correction, to the court of common pleas of Franklin county. 259
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(5) If any party appealing from an order described in division (B)(1), (2), or (6) of this section is not a resident of and has no place of business in this state, the party shall appeal to the court of common pleas of Franklin county. 266
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(6) Any party adversely affected by any order of an agency issued pursuant to any other adjudication may appeal to the court of common pleas of Franklin county or the court of common pleas of the county in which the business of the party is located or in which the party is a resident. 270
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(C) This section does not apply to appeals from the department of taxation. 275
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(D) Any party desiring to appeal shall file a notice of appeal with the agency setting forth the order appealed from and stating that the agency's order is not supported by reliable, probative, and substantial evidence and is not in accordance 277
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with law. The notice of appeal may, but need not, set forth the 281
specific grounds of the party's appeal beyond the statement that 282
the agency's order is not supported by reliable, probative, and 283
substantial evidence and is not in accordance with law. The 284
notice of appeal shall also be filed by the appellant with the 285
court. In filing a notice of appeal with the agency or court, 286
the notice that is filed may be either the original notice or a 287
copy of the original notice. Unless otherwise provided by law 288
relating to a particular agency, notices of appeal shall be 289
filed within fifteen days after the mailing of the notice of the 290
agency's order as provided in this section. For purposes of this 291
paragraph, an order includes a determination appealed pursuant 292
to division (C) of section 119.092 of the Revised Code. The 293
amendments made to this paragraph by Sub. H.B. 215 of the 128th 294
general assembly are procedural, and this paragraph as amended 295
by those amendments shall be applied retrospectively to all 296
appeals pursuant to this paragraph filed before September 13, 297
2010, but not earlier than May 7, 2009, which was the date the 298
supreme court of Ohio released its opinion and judgment in 299
Medcorp, Inc. v. Ohio Dep't. of Job and Family Servs. (2009), 300
121 Ohio St.3d 622. 301

(E) The filing of a notice of appeal shall not 302
automatically operate as a suspension of the order of an agency. 303
If it appears to the court that an unusual hardship to the 304
appellant will result from the execution of the agency's order 305
pending determination of the appeal, the court may grant a 306
suspension and fix its terms. If an appeal is taken from the 307
judgment of the court and the court has previously granted a 308
suspension of the agency's order as provided in this section, 309
the suspension of the agency's order shall not be vacated and 310
shall be given full force and effect until the matter is finally 311

adjudicated. No renewal of a license or permit shall be denied 312
by reason of the suspended order during the period of the appeal 313
from the decision of the court of common pleas. In the case of 314
an appeal from the Ohio casino control commission, the state 315
medical board, or the state chiropractic board, the court may 316
grant a suspension and fix its terms if it appears to the court 317
that an unusual hardship to the appellant will result from the 318
execution of the agency's order pending determination of the 319
appeal and the health, safety, and welfare of the public will 320
not be threatened by suspension of the order. This provision 321
shall not be construed to limit the factors the court may 322
consider in determining whether to suspend an order of any other 323
agency pending determination of an appeal. 324

(F) The final order of adjudication may apply to any 325
renewal of a license or permit which has been granted during the 326
period of the appeal. 327

(G) Notwithstanding any other provision of this section, 328
any order issued by a court of common pleas or a court of 329
appeals suspending the effect of an order of the liquor control 330
commission issued pursuant to Chapter 4301. or 4303. of the 331
Revised Code that suspends, revokes, or cancels a permit issued 332
under Chapter 4303. of the Revised Code or that allows the 333
payment of a forfeiture under section 4301.252 of the Revised 334
Code shall terminate not more than six months after the date of 335
the filing of the record of the liquor control commission with 336
the clerk of the court of common pleas and shall not be 337
extended. The court of common pleas, or the court of appeals on 338
appeal, shall render a judgment in that matter within six months 339
after the date of the filing of the record of the liquor control 340
commission with the clerk of the court of common pleas. A court 341
of appeals shall not issue an order suspending the effect of an 342

order of the liquor control commission that extends beyond six 343
months after the date on which the record of the liquor control 344
commission is filed with a court of common pleas. 345

(H) Notwithstanding any other provision of this section, 346
any order issued by a court of common pleas or a court of 347
appeals suspending the effect of an order of the Ohio casino 348
control commission issued under Chapter 3772. of the Revised 349
Code that limits, conditions, restricts, suspends, revokes, 350
denies, not renews, fines, or otherwise penalizes an applicant, 351
licensee, or person excluded or ejected from a casino facility 352
in accordance with section 3772.031 of the Revised Code shall 353
terminate not more than six months after the date of the filing 354
of the record of the Ohio casino control commission with the 355
clerk of the court of common pleas and shall not be extended. 356
The court of common pleas, or the court of appeals on appeal, 357
shall render a judgment in that matter within six months after 358
the date of the filing of the record of the Ohio casino control 359
commission with the clerk of the court of common pleas. A court 360
of appeals shall not issue an order suspending the effect of an 361
order of the Ohio casino control commission that extends beyond 362
six months after the date on which the record of the Ohio casino 363
control commission is filed with the clerk of a court of common 364
pleas. 365

(I) Notwithstanding any other provision of this section, 366
any order issued by a court of common pleas suspending the 367
effect of an order of the state medical board or state 368
chiropractic board that limits, revokes, suspends, places on 369
probation, or refuses to register or reinstate a certificate 370
issued by the board or reprimands the holder of the certificate 371
shall terminate not more than fifteen months after the date of 372
the filing of a notice of appeal in the court of common pleas, 373

or upon the rendering of a final decision or order in the appeal 374
by the court of common pleas, whichever occurs first. 375

~~(I)~~ (J) Within thirty days after receipt of a notice of 376
appeal from an order in any case in which a hearing is required 377
by sections 119.01 to 119.13 of the Revised Code, the agency 378
shall prepare and certify to the court a complete record of the 379
proceedings in the case. Failure of the agency to comply within 380
the time allowed, upon motion, shall cause the court to enter a 381
finding in favor of the party adversely affected. Additional 382
time, however, may be granted by the court, not to exceed thirty 383
days, when it is shown that the agency has made substantial 384
effort to comply. The record shall be prepared and transcribed, 385
and the expense of it shall be taxed as a part of the costs on 386
the appeal. The appellant shall provide security for costs 387
satisfactory to the court of common pleas. Upon demand by any 388
interested party, the agency shall furnish at the cost of the 389
party requesting it a copy of the stenographic report of 390
testimony offered and evidence submitted at any hearing and a 391
copy of the complete record. 392

~~(J)~~ (K) Notwithstanding any other provision of this 393
section, any party desiring to appeal an order or decision of 394
the state personnel board of review shall, at the time of filing 395
a notice of appeal with the board, provide a security deposit in 396
an amount and manner prescribed in rules that the board shall 397
adopt in accordance with this chapter. In addition, the board is 398
not required to prepare or transcribe the record of any of its 399
proceedings unless the appellant has provided the deposit 400
described above. The failure of the board to prepare or 401
transcribe a record for an appellant who has not provided a 402
security deposit shall not cause a court to enter a finding 403
adverse to the board. 404

~~(K)~~ (L) Unless otherwise provided by law, in the hearing 405
of the appeal, the court is confined to the record as certified 406
to it by the agency. Unless otherwise provided by law, the court 407
may grant a request for the admission of additional evidence 408
when satisfied that the additional evidence is newly discovered 409
and could not with reasonable diligence have been ascertained 410
prior to the hearing before the agency. 411

~~(L)~~ (M) The court shall conduct a hearing on the appeal 412
and shall give preference to all proceedings under sections 413
119.01 to 119.13 of the Revised Code, over all other civil 414
cases, irrespective of the position of the proceedings on the 415
calendar of the court. An appeal from an order of the state 416
medical board issued pursuant to division (G) of either section 417
4730.25 or 4731.22 of the Revised Code, the state chiropractic 418
board issued pursuant to section 4734.37 of the Revised Code, 419
the liquor control commission issued pursuant to Chapter 4301. 420
or 4303. of the Revised Code, or the Ohio casino control 421
commission issued pursuant to Chapter 3772. of the Revised Code 422
shall be set down for hearing at the earliest possible time and 423
takes precedence over all other actions. The hearing in the 424
court of common pleas shall proceed as in the trial of a civil 425
action, and the court shall determine the rights of the parties 426
in accordance with the laws applicable to a civil action. At the 427
hearing, counsel may be heard on oral argument, briefs may be 428
submitted, and evidence may be introduced if the court has 429
granted a request for the presentation of additional evidence. 430

~~(M)~~ (N) The court may affirm the order of the agency 431
complained of in the appeal if it finds, upon consideration of 432
the entire record and any additional evidence the court has 433
admitted, that the order is supported by reliable, probative, 434
and substantial evidence and is in accordance with law. In the 435

absence of this finding, it may reverse, vacate, or modify the 436
order or make such other ruling as is supported by reliable, 437
probative, and substantial evidence and is in accordance with 438
law. The court shall award compensation for fees in accordance 439
with section 2335.39 of the Revised Code to a prevailing party, 440
other than an agency, in an appeal filed pursuant to this 441
section. 442

~~(N)~~ (O) The judgment of the court shall be final and 443
conclusive unless reversed, vacated, or modified on appeal. 444
These appeals may be taken either by the party or the agency, 445
shall proceed as in the case of appeals in civil actions, and 446
shall be pursuant to the Rules of Appellate Procedure and, to 447
the extent not in conflict with those rules, Chapter 2505. of 448
the Revised Code. An appeal by the agency shall be taken on 449
questions of law relating to the constitutionality, 450
construction, or interpretation of statutes and rules of the 451
agency, and, in the appeal, the court may also review and 452
determine the correctness of the judgment of the court of common 453
pleas that the order of the agency is not supported by any 454
reliable, probative, and substantial evidence in the entire 455
record. 456

The court shall certify its judgment to the agency or take 457
any other action necessary to give its judgment effect. 458

Sec. 124.34. (A) The tenure of every officer or employee 459
in the classified service of the state and the counties, civil 460
service townships, cities, city health districts, general health 461
districts, and city school districts of the state, holding a 462
position under this chapter, shall be during good behavior and 463
efficient service. No officer or employee shall be reduced in 464
pay or position, fined, suspended, or removed, or have the 465

officer's or employee's longevity reduced or eliminated, except 466
as provided in section 124.32 of the Revised Code, and for 467
incompetency, inefficiency, unsatisfactory performance, 468
dishonesty, drunkenness, immoral conduct, insubordination, 469
discourteous treatment of the public, neglect of duty, violation 470
of any policy or work rule of the officer's or employee's 471
appointing authority, violation of this chapter or the rules of 472
the director of administrative services or the commission, any 473
other failure of good behavior, any other acts of misfeasance, 474
malfeasance, or nonfeasance in office, or conviction of a felony 475
while employed in the civil service. The denial of a one-time 476
pay supplement or a bonus to an officer or employee is not a 477
reduction in pay for purposes of this section. 478

This section does not apply to any modifications or 479
reductions in pay or work week authorized by section 124.392, 480
124.393, or 124.394 of the Revised Code. 481

An appointing authority may require an employee who is 482
suspended to report to work to serve the suspension. An employee 483
serving a suspension in this manner shall continue to be 484
compensated at the employee's regular rate of pay for hours 485
worked. The disciplinary action shall be recorded in the 486
employee's personnel file in the same manner as other 487
disciplinary actions and has the same effect as a suspension 488
without pay for the purpose of recording disciplinary actions. 489

A finding by the appropriate ethics commission, based upon 490
a preponderance of the evidence, that the facts alleged in a 491
complaint under section 102.06 of the Revised Code constitute a 492
violation of Chapter 102., section 2921.42, or section 2921.43 493
of the Revised Code may constitute grounds for dismissal. 494
Failure to file a statement or falsely filing a statement 495

required by section 102.02 of the Revised Code may also 496
constitute grounds for dismissal. The tenure of an employee in 497
the career professional service of the department of 498
transportation is subject to section 5501.20 of the Revised 499
Code. 500

Conviction of a felony while employed in the civil service 501
is a separate basis for reducing in pay or position, suspending, 502
or removing an officer or employee, even if the officer or 503
employee has already been reduced in pay or position, suspended, 504
or removed for the same conduct that is the basis of the felony. 505
An officer or employee may not appeal to the state personnel 506
board of review or the commission any disciplinary action taken 507
by an appointing authority as a result of the officer's or 508
employee's conviction of a felony. If an officer or employee 509
removed under this section is reinstated as a result of an 510
appeal of the removal, any conviction of a felony that occurs 511
during the pendency of the appeal is a basis for further 512
disciplinary action under this section upon the officer's or 513
employee's reinstatement. 514

A person convicted of a felony while employed in the civil 515
service immediately forfeits the person's status as a classified 516
employee in any public employment on and after the date of the 517
conviction for the felony. If an officer or employee is removed 518
under this section as a result of being convicted of a felony or 519
is subsequently convicted of a felony that involves the same 520
conduct that was the basis for the removal, the officer or 521
employee is barred from receiving any compensation after the 522
removal notwithstanding any modification or disaffirmance of the 523
removal, unless the conviction for the felony is subsequently 524
reversed or annulled. 525

Any person removed for conviction of a felony is entitled 526
to a cash payment for any accrued but unused sick, personal, and 527
vacation leave as authorized by law. If subsequently reemployed 528
in the public sector, the person shall qualify for and accrue 529
these forms of leave in the manner specified by law for a newly 530
appointed employee and shall not be credited with prior public 531
service for the purpose of receiving these forms of leave. 532

As used in this division, "felony" means any of the 533
following: 534

(1) A felony that is an offense of violence as defined in 535
section 2901.01 of the Revised Code; 536

(2) A felony that is a felony drug abuse offense as 537
defined in section 2925.01 of the Revised Code; 538

(3) A felony under the laws of this or any other state or 539
the United States that is a crime of moral turpitude; 540

(4) A felony involving dishonesty, fraud, or theft; 541

(5) A felony that is a violation of section 2921.05, 542
2921.32, or 2921.42 of the Revised Code. 543

(B) In case of a reduction, a suspension of more than 544
forty work hours in the case of an employee exempt from the 545
payment of overtime compensation, a suspension of more than 546
twenty-four work hours in the case of an employee required to be 547
paid overtime compensation, a fine of more than forty hours' pay 548
in the case of an employee exempt from the payment of overtime 549
compensation, a fine of more than twenty-four hours' pay in the 550
case of an employee required to be paid overtime compensation, 551
or removal, except for the reduction or removal of a 552
probationary employee, the appointing authority shall serve the 553
employee with a copy of the order of reduction, fine, 554

suspension, or removal, which order shall state the reasons for 555
the action. 556

Within ten days following the date on which the order is 557
served or, in the case of an employee in the career professional 558
service of the department of transportation, within ten days 559
following the filing of a removal order, the employee, except as 560
otherwise provided in this section, may file an appeal of the 561
order in writing with the state personnel board of review or the 562
commission. For purposes of this section, the date on which an 563
order is served is the date of hand delivery of the order or the 564
date of delivery of the order by certified United States mail, 565
whichever occurs first. If an appeal is filed, the board or 566
commission shall forthwith notify the appointing authority and 567
shall hear, or appoint a trial board to hear, the appeal within 568
thirty days from and after its filing with the board or 569
commission. The board, commission, or trial board may affirm, 570
disaffirm, or modify the judgment of the appointing authority. 571
However, in an appeal of a removal order based upon a violation 572
of a last chance agreement, the board, commission, or trial 573
board may only determine if the employee violated the agreement 574
and thus affirm or disaffirm the judgment of the appointing 575
authority. 576

In cases of removal or reduction in pay for disciplinary 577
reasons, either the appointing authority or the officer or 578
employee may appeal from the decision of the state personnel 579
board of review or the commission, and any such appeal shall be 580
to the court of common pleas ~~of the county in which the~~ 581
~~appointing authority is located, or to the court of common pleas~~ 582
~~of Franklin county, as provided by section 119.12 of the Revised~~ 583
~~Code~~ in accordance with section 119.12 of the Revised Code. 584

(C) In the case of the suspension for any period of time, 585
or a fine, demotion, or removal, of a chief of police, a chief 586
of a fire department, or any member of the police or fire 587
department of a city or civil service township, who is in the 588
classified civil service, the appointing authority shall furnish 589
the chief or member with a copy of the order of suspension, 590
fine, demotion, or removal, which order shall state the reasons 591
for the action. The order shall be filed with the municipal or 592
civil service township civil service commission. Within ten days 593
following the filing of the order, the chief or member may file 594
an appeal, in writing, with the commission. If an appeal is 595
filed, the commission shall forthwith notify the appointing 596
authority and shall hear, or appoint a trial board to hear, the 597
appeal within thirty days from and after its filing with the 598
commission, and it may affirm, disaffirm, or modify the judgment 599
of the appointing authority. An appeal on questions of law and 600
fact may be had from the decision of the commission to the court 601
of common pleas in the county in which the city or civil service 602
township is situated. The appeal shall be taken within thirty 603
days from the finding of the commission. 604

(D) A violation of division (A) (7) of section 2907.03 of 605
the Revised Code is grounds for termination of employment of a 606
nonteaching employee under this section. 607

(E) The director shall adopt a rule in accordance with 608
Chapter 119. of the Revised Code to define the term 609
"unsatisfactory performance" as it is used in this section with 610
regard to employees in the service of the state. 611

(F) As used in this section, "last chance agreement" means 612
an agreement signed by both an appointing authority and an 613
officer or employee of the appointing authority that describes 614

the type of behavior or circumstances that, if it occurs, will 615
automatically lead to removal of the officer or employee without 616
the right of appeal to the state personnel board of review or 617
the appropriate commission. 618

Sec. 303.65. A final judgment on the merits issued by a 619
court of competent jurisdiction pursuant to its power of review 620
under Chapter 2506. of the Revised Code, on claims brought under 621
this chapter, does not preclude later claims for damages, 622
including claims brought under 42 U.S.C. 1983, even if the 623
common law doctrine of res judicata would otherwise bar the 624
claim. 625

The general assembly intends that this section be 626
construed to override the federal sixth circuit court of 627
appeals's decision in the case *Lavon Moore v. Hiram Twp.*, 988 628
F.3d 353 (6th Cir. 2021). 629

Sec. 519.26. A final judgment on the merits issued by a 630
court of competent jurisdiction pursuant to its power of review 631
under Chapter 2506. of the Revised Code, on claims brought under 632
this chapter, does not preclude later claims for damages, 633
including claims brought under 42 U.S.C. 1983, even if the 634
common law doctrine of res judicata would otherwise bar the 635
claim. 636

The general assembly intends that this section be 637
construed to override the federal sixth circuit court of 638
appeals's decision in the case *Lavon Moore v. Hiram Twp.*, 988 639
F.3d 353 (6th Cir. 2021). 640

Sec. 713.16. A final judgment on the merits issued by a 641
court of competent jurisdiction pursuant to its power of review 642
under Chapter 2506. of the Revised Code, on claims brought under 643

this chapter, does not preclude later claims for damages, 644
including claims brought under 42 U.S.C. 1983, even if the 645
common law doctrine of res judicata would otherwise bar the 646
claim. 647

The general assembly intends that this section be 648
construed to override the federal sixth circuit court of 649
appeals's decision in the case *Lavon Moore v. Hiram Twp.*, 988 650
F.3d 353 (6th Cir. 2021). 651

Sec. 956.11. (A) The director of agriculture may enter 652
into contracts or agreements with an animal rescue for dogs, an 653
animal shelter for dogs, a boarding kennel, a veterinarian, a 654
board of county commissioners, or a humane society for the 655
purposes of this section. 656

(B) (1) If the director or the director's authorized 657
representative determines that a dog is being kept by a high 658
volume breeder or dog broker in a manner that materially 659
violates this chapter or rules adopted under it, the director 660
may impound the dog and order it to be seized by an animal 661
rescue for dogs, an animal shelter for dogs, a boarding kennel, 662
a veterinarian, a board of county commissioners, or a humane 663
society with which the director has entered into a contract or 664
agreement under division (A) of this section. Upon receiving the 665
order from the director, the animal rescue for dogs, animal 666
shelter for dogs, boarding kennel, veterinarian, board of county 667
commissioners, or humane society shall seize the dog and keep, 668
house, and maintain it. 669

(2) The director or the director's authorized 670
representative shall give written notice of the impoundment by 671
posting a notice on the door of the premises from which the dog 672
was taken or by otherwise posting the notice in a conspicuous 673

place at the premises from which the dog was taken. The notice 674
shall provide a date for an adjudication hearing, which shall 675
take place not later than five business days after the dog is 676
taken and at which the director shall determine if the dog 677
should be permanently relinquished to the custody of the 678
director. 679

(C) The owner or operator of the applicable high volume 680
breeder or the person acting as or performing the functions of a 681
dog broker may appeal the determination made at the adjudication 682
hearing in accordance with section 119.12 of the Revised Code, ~~7-~~ 683
~~except that the appeal may be made only to the environmental-~~ 684
~~division of the Franklin county municipal court.~~ 685

(D) If, after the final disposition of an adjudication 686
hearing and any appeals from that adjudication hearing, it is 687
determined that a dog shall be permanently relinquished to the 688
custody of the director, the dog may be adopted directly from 689
the animal rescue for dogs, animal shelter for dogs, boarding 690
kennel, veterinarian, county dog pound, or humane society where 691
it is being kept, housed, and maintained, provided that the dog 692
has been spayed or neutered unless there are medical reasons 693
against spaying or neutering as determined by a veterinarian. 694
The animal rescue for dogs, animal shelter for dogs, boarding 695
kennel, veterinarian, county dog pound, or humane society may 696
charge a reasonable adoption fee. The fee shall be at least 697
sufficient to cover the costs of spaying or neutering the dog 698
unless it is medically contraindicated. Impounded dogs shall be 699
returned to persons acquitted of any alleged violations. 700

Sec. 956.15. (A) The director of agriculture shall deny an 701
application for a license that is submitted under section 956.04 702
or 956.05 of the Revised Code for either of the following 703

reasons: 704

(1) The applicant for the license has violated any 705
provision of this chapter or a rule adopted under it if the 706
violation materially threatens the health or welfare of a dog. 707

(2) The applicant has been convicted of or pleaded guilty 708
to a disqualifying offense as determined in accordance with 709
section 9.79 of the Revised Code. 710

(B) The director may suspend or revoke a license issued 711
under this chapter for violation of any provision of this 712
chapter or a rule adopted or order issued under it if the 713
violation materially threatens the health and welfare of a dog. 714

(C) An application or a license shall not be denied, 715
suspended, or revoked under this section without a written order 716
of the director stating the findings on which the denial, 717
suspension, or revocation is based. A copy of the order shall be 718
sent to the applicant or license holder by certified mail or may 719
be provided to the applicant or license holder by personal 720
service. In addition, the person to whom a denial, suspension, 721
or revocation applies may request an adjudication hearing under 722
Chapter 119. of the Revised Code. The director shall comply with 723
such a request. The determination of the director at an 724
adjudication hearing may be appealed in accordance with section 725
119.12 of the Revised Code, ~~except that the determination may be~~ 726
~~appealed only to the environmental division of the Franklin-~~ 727
~~county municipal court.~~ 728

Sec. 1901.02. (A) The municipal courts established by 729
section 1901.01 of the Revised Code have jurisdiction within the 730
corporate limits of their respective municipal corporations, or, 731
for the Clermont county municipal court, and, effective January 732

1, 2008, the Erie county municipal court, within the municipal 733
corporation or unincorporated territory in which they are 734
established, and are courts of record. Each of the courts shall 735
be styled " _____ municipal court," 736
inserting the name of the municipal corporation, except the 737
following courts, which shall be styled as set forth below: 738

(1) The municipal court established in Chesapeake that 739
shall be styled and known as the "Lawrence county municipal 740
court"; 741

(2) The municipal court established in Cincinnati that 742
shall be styled and known as the "Hamilton county municipal 743
court"; 744

(3) The municipal court established in Ravenna that shall 745
be styled and known as the "Portage county municipal court"; 746

(4) The municipal court established in Athens that shall 747
be styled and known as the "Athens county municipal court"; 748

(5) The municipal court established in Columbus that shall 749
be styled and known as the "Franklin county municipal court"; 750

(6) The municipal court established in London that shall 751
be styled and known as the "Madison county municipal court"; 752

(7) The municipal court established in Newark that shall 753
be styled and known as the "Licking county municipal court"; 754

(8) The municipal court established in Wooster that shall 755
be styled and known as the "Wayne county municipal court"; 756

(9) The municipal court established in Wapakoneta that 757
shall be styled and known as the "Auglaize county municipal 758
court"; 759

- (10) The municipal court established in Troy that shall be styled and known as the "Miami county municipal court"; 760
761
- (11) The municipal court established in Bucyrus that shall be styled and known as the "Crawford county municipal court"; 762
763
- (12) The municipal court established in Logan that shall be styled and known as the "Hocking county municipal court"; 764
765
- (13) The municipal court established in Urbana that shall be styled and known as the "Champaign county municipal court"; 766
767
- (14) The municipal court established in Jackson that shall be styled and known as the "Jackson county municipal court"; 768
769
- (15) The municipal court established in Springfield that shall be styled and known as the "Clark county municipal court"; 770
771
- (16) The municipal court established in Kenton that shall be styled and known as the "Hardin county municipal court"; 772
773
- (17) The municipal court established within Clermont county in Batavia or in any other municipal corporation or unincorporated territory within Clermont county that is selected by the legislative authority of that court that shall be styled and known as the "Clermont county municipal court"; 774
775
776
777
778
- (18) The municipal court established in Wilmington that, beginning July 1, 1992, shall be styled and known as the "Clinton county municipal court"; 779
780
781
- (19) The municipal court established in Port Clinton that shall be styled and known as the "Ottawa county municipal court"; 782
783
784
- (20) The municipal court established in Lancaster that, beginning January 2, 2000, shall be styled and known as the 785
786

"Fairfield county municipal court";	787
(21) The municipal court established within Columbiana	788
county in Lisbon or in any other municipal corporation or	789
unincorporated territory selected pursuant to division (I) of	790
section 1901.021 of the Revised Code, that shall be styled and	791
known as the "Columbiana county municipal court";	792
(22) The municipal court established in Georgetown that,	793
beginning February 9, 2003, shall be styled and known as the	794
"Brown county municipal court";	795
(23) The municipal court established in Mount Gilead that,	796
beginning January 1, 2003, shall be styled and known as the	797
"Morrow county municipal court";	798
(24) The municipal court established in Greenville that,	799
beginning January 1, 2005, shall be styled and known as the	800
"Darke county municipal court";	801
(25) The municipal court established in Millersburg that,	802
beginning January 1, 2007, shall be styled and known as the	803
"Holmes county municipal court";	804
(26) The municipal court established in Carrollton that,	805
beginning January 1, 2007, shall be styled and known as the	806
"Carroll county municipal court";	807
(27) The municipal court established within Erie county in	808
Milan or established in any other municipal corporation or	809
unincorporated territory that is within Erie county, is within	810
the territorial jurisdiction of that court, and is selected by	811
the legislative authority of that court that, beginning January	812
1, 2008, shall be styled and known as the "Erie county municipal	813
court";	814

(28) The municipal court established in Ottawa that, 815
beginning January 1, 2011, shall be styled and known as the 816
"Putnam county municipal court"; 817

(29) The municipal court established within Montgomery 818
county in any municipal corporation or unincorporated territory 819
within Montgomery county, except the municipal corporations of 820
Centerville, Clayton, Dayton, Englewood, Germantown, Kettering, 821
Miamisburg, Moraine, Oakwood, Union, Vandalia, and West 822
Carrollton and Butler, German, Harrison, Miami, and Washington 823
townships, that is selected by the legislative authority of that 824
court and that, beginning July 1, 2010, shall be styled and 825
known as the "Montgomery county municipal court"; 826

(30) The municipal court established within Sandusky 827
county in any municipal corporation or unincorporated territory 828
within Sandusky county, except the municipal corporations of 829
Bellevue and Fremont and Ballville, Sandusky, and York 830
townships, that is selected by the legislative authority of that 831
court and that, beginning January 1, 2013, shall be styled and 832
known as the "Sandusky county municipal court"; 833

(31) The municipal court established in Tiffin that, 834
beginning January 1, 2014, shall be styled and known as the 835
"Tiffin-Fostoria municipal court"; 836

(32) The municipal court established in New Lexington 837
that, beginning January 1, 2018, shall be styled and known as 838
the "Perry county municipal court"; 839

(33) The municipal court established in Paulding that, 840
beginning January 1, 2020, shall be styled and known as the 841
"Paulding county municipal court"; 842

(34) The municipal court established in Wauseon that, 843

beginning January 1, 2024, shall be styled and known as the 844
"Fulton county municipal court." 845

(B) In addition to the jurisdiction set forth in division 846
(A) of this section, the municipal courts established by section 847
1901.01 of the Revised Code have jurisdiction as follows: 848

The Akron municipal court has jurisdiction within Bath, 849
Richfield, and Springfield townships, and within the municipal 850
corporations of Fairlawn, Lakemore, and Mogadore, in Summit 851
county. 852

The Alliance municipal court has jurisdiction within 853
Lexington, Marlboro, Paris, and Washington townships in Stark 854
county. 855

The Ashland municipal court has jurisdiction within 856
Ashland county. 857

The Ashtabula municipal court has jurisdiction within 858
Ashtabula, Plymouth, and Saybrook townships in Ashtabula county. 859

The Athens county municipal court has jurisdiction within 860
Athens county. 861

The Auglaize county municipal court has jurisdiction 862
within Auglaize county. 863

The Avon Lake municipal court has jurisdiction within the 864
municipal corporations of Avon and Sheffield in Lorain county. 865

The Barberton municipal court has jurisdiction within 866
Coventry, Franklin, and Green townships, within all of Copley 867
township except within the municipal corporation of Fairlawn, 868
and within the municipal corporations of Clinton and Norton, in 869
Summit county. 870

The Bedford municipal court has jurisdiction within the 871
municipal corporations of Bedford Heights, Oakwood, Glenwillow, 872
Solon, Bentleyville, Chagrin Falls, Moreland Hills, Orange, 873
Warrensville Heights, North Randall, and Woodmere, and within 874
Warrensville and Chagrin Falls townships, in Cuyahoga county. 875

The Bellefontaine municipal court has jurisdiction within 876
Logan county. 877

The Bellevue municipal court has jurisdiction within Lyme 878
and Sherman townships in Huron county and within York township 879
in Sandusky county. 880

The Berea municipal court has jurisdiction within the 881
municipal corporations of Strongsville, Middleburgh Heights, 882
Brook Park, Westview, and Olmsted Falls, and within Olmsted 883
township, in Cuyahoga county. 884

The Bowling Green municipal court has jurisdiction within 885
the municipal corporations of Bairdstown, Bloomdale, Bradner, 886
Custar, Cygnet, Grand Rapids, Haskins, Hoytville, Jerry City, 887
Milton Center, North Baltimore, Pemberville, Portage, Rising 888
Sun, Tontogany, Wayne, West Millgrove, and Weston, and within 889
Bloom, Center, Freedom, Grand Rapids, Henry, Jackson, Liberty, 890
Middleton, Milton, Montgomery, Perry, Plain, Portage, 891
Washington, Webster, and Weston townships in Wood county. 892

Beginning February 9, 2003, the Brown county municipal 893
court has jurisdiction within Brown county. 894

The Bryan municipal court has jurisdiction within Williams 895
county. 896

The Cambridge municipal court has jurisdiction within 897
Guernsey county. 898

The Campbell municipal court has jurisdiction within Coitsville township in Mahoning county.	899 900
The Canton municipal court has jurisdiction within Canton, Lake, Nimishillen, Osnaburg, Pike, Plain, and Sandy townships in Stark county.	901 902 903
The Carroll county municipal court has jurisdiction within Carroll county.	904 905
The Celina municipal court has jurisdiction within Mercer county.	906 907
The Champaign county municipal court has jurisdiction within Champaign county.	908 909
The Chardon municipal court has jurisdiction within Geauga county.	910 911
The Chillicothe municipal court has jurisdiction within Ross county.	912 913
The Circleville municipal court has jurisdiction within Pickaway county.	914 915
The Clark county municipal court has jurisdiction within Clark county.	916 917
The Clermont county municipal court has jurisdiction within Clermont county.	918 919
The Cleveland municipal court has jurisdiction within the municipal corporation of Bratenahl in Cuyahoga county.	920 921
Beginning July 1, 1992, the Clinton county municipal court has jurisdiction within Clinton county.	922 923
The Columbiana county municipal court has jurisdiction within Columbiana county.	924 925

The Coshocton municipal court has jurisdiction within Coshocton county.	926 927
The Crawford county municipal court has jurisdiction within Crawford county.	928 929
Until December 31, 2008, the Cuyahoga Falls municipal court has jurisdiction within Boston, Hudson, Northfield Center, Sagamore Hills, and Twinsburg townships, and within the municipal corporations of Boston Heights, Hudson, Munroe Falls, Northfield, Peninsula, Reminderville, Silver Lake, Stow, Tallmadge, Twinsburg, and Macedonia, in Summit county.	930 931 932 933 934 935
Beginning January 1, 2005, the Darke county municipal court has jurisdiction within Darke county except within the municipal corporation of Bradford.	936 937 938
The Defiance municipal court has jurisdiction within Defiance county.	939 940
The Delaware municipal court has jurisdiction within Delaware county.	941 942
The Eaton municipal court has jurisdiction within Preble county.	943 944
The Elyria municipal court has jurisdiction within the municipal corporations of Grafton, LaGrange, and North Ridgeville, and within Elyria, Carlisle, Eaton, Columbia, Grafton, and LaGrange townships, in Lorain county.	945 946 947 948
Beginning January 1, 2008, the Erie county municipal court has jurisdiction within Erie county except within the townships of Florence, Huron, Perkins, and Vermilion and the municipal corporations of Bay View, Castalia, Huron, Sandusky, and Vermilion.	949 950 951 952 953

The Fairborn municipal court has jurisdiction within the	954
municipal corporation of Beavercreek and within Bath and	955
Beavercreek townships in Greene county.	956
Beginning January 2, 2000, the Fairfield county municipal	957
court has jurisdiction within Fairfield county.	958
The Findlay municipal court has jurisdiction within all of	959
Hancock county except within Washington township.	960
The Franklin municipal court has jurisdiction within	961
Franklin township in Warren county.	962
The Franklin county municipal court has jurisdiction	963
within Franklin county.	964
The Fremont municipal court has jurisdiction within	965
Ballville and Sandusky townships in Sandusky county.	966
Beginning January 1, 2024, the Fulton county municipal	967
court has jurisdiction within Fulton county.	968
The Gallipolis municipal court has jurisdiction within	969
Gallia county.	970
The Garfield Heights municipal court has jurisdiction	971
within the municipal corporations of Maple Heights, Walton	972
Hills, Valley View, Cuyahoga Heights, Newburgh Heights,	973
Independence, and Brecksville in Cuyahoga county.	974
The Girard municipal court has jurisdiction within	975
Liberty, Vienna, and Hubbard townships in Trumbull county.	976
The Hamilton municipal court has jurisdiction within Ross	977
and St. Clair townships in Butler county.	978
The Hamilton county municipal court has jurisdiction	979
within Hamilton county.	980

The Hardin county municipal court has jurisdiction within Hardin county.	981 982
The Hillsboro municipal court has jurisdiction within all of Highland county except within Madison township.	983 984
The Hocking county municipal court has jurisdiction within Hocking county.	985 986
The Holmes county municipal court has jurisdiction within Holmes county.	987 988
The Huron municipal court has jurisdiction within all of Huron township in Erie county except within the municipal corporation of Sandusky.	989 990 991
The Ironton municipal court has jurisdiction within Aid, Decatur, Elizabeth, Hamilton, Lawrence, Upper, and Washington townships in Lawrence county.	992 993 994
The Jackson county municipal court has jurisdiction within Jackson county.	995 996
The Kettering municipal court has jurisdiction within the municipal corporations of Centerville and Moraine, and within Washington township, in Montgomery county.	997 998 999
Until January 2, 2000, the Lancaster municipal court has jurisdiction within Fairfield county.	1000 1001
The Lawrence county municipal court has jurisdiction within the townships of Fayette, Mason, Perry, Rome, Symmes, Union, and Windsor in Lawrence county.	1002 1003 1004
The Lebanon municipal court has jurisdiction within Turtlecreek township in Warren county.	1005 1006
The Licking county municipal court has jurisdiction within	1007

Licking county.	1008
The Lima municipal court has jurisdiction within Allen county.	1009 1010
The Lorain municipal court has jurisdiction within the municipal corporation of Sheffield Lake, and within Sheffield township, in Lorain county.	1011 1012 1013
The Lyndhurst municipal court has jurisdiction within the municipal corporations of Mayfield Heights, Gates Mills, Mayfield, Highland Heights, and Richmond Heights in Cuyahoga county.	1014 1015 1016 1017
The Madison county municipal court has jurisdiction within Madison county.	1018 1019
The Mansfield municipal court has jurisdiction within Madison, Springfield, Sandusky, Franklin, Weller, Mifflin, Troy, Washington, Monroe, Perry, Jefferson, and Worthington townships, and within sections 35-36-31 and 32 of Butler township, in Richland county.	1020 1021 1022 1023 1024
The Marietta municipal court has jurisdiction within Washington county.	1025 1026
The Marion municipal court has jurisdiction within Marion county.	1027 1028
The Marysville municipal court has jurisdiction within Union county.	1029 1030
The Mason municipal court has jurisdiction within Deerfield township in Warren county.	1031 1032
The Massillon municipal court has jurisdiction within Bethlehem, Perry, Sugar Creek, Tuscarawas, Lawrence, and Jackson	1033 1034

townships in Stark county.	1035
The Maumee municipal court has jurisdiction within the	1036
municipal corporations of Waterville and Whitehouse, within	1037
Waterville and Providence townships, and within those portions	1038
of Springfield, Monclova, and Swanton townships lying south of	1039
the northerly boundary line of the Ohio turnpike, in Lucas	1040
county.	1041
The Medina municipal court has jurisdiction within the	1042
municipal corporations of Briarwood Beach, Brunswick, Chippewa-	1043
on-the-Lake, and Spencer and within the townships of Brunswick	1044
Hills, Chatham, Granger, Hinckley, Lafayette, Litchfield,	1045
Liverpool, Medina, Montville, Spencer, and York townships, in	1046
Medina county.	1047
The Mentor municipal court has jurisdiction within the	1048
municipal corporation of Mentor-on-the-Lake in Lake county.	1049
The Miami county municipal court has jurisdiction within	1050
Miami county and within the part of the municipal corporation of	1051
Bradford that is located in Darke county.	1052
The Miamisburg municipal court has jurisdiction within the	1053
municipal corporations of Germantown and West Carrollton, and	1054
within German and Miami townships in Montgomery county.	1055
The Middletown municipal court has jurisdiction within	1056
Madison township, and within all of Lemon township, except	1057
within the municipal corporation of Monroe, in Butler county.	1058
Beginning July 1, 2010, the Montgomery county municipal	1059
court has jurisdiction within all of Montgomery county except	1060
for the municipal corporations of Centerville, Clayton, Dayton,	1061
Englewood, Germantown, Kettering, Miamisburg, Moraine, Oakwood,	1062
Union, Vandalia, and West Carrollton and Butler, German,	1063

Harrison, Miami, and Washington townships.	1064
Beginning January 1, 2003, the Morrow county municipal	1065
court has jurisdiction within Morrow county.	1066
The Mount Vernon municipal court has jurisdiction within	1067
Knox county.	1068
The Napoleon municipal court has jurisdiction within Henry	1069
county.	1070
The New Philadelphia municipal court has jurisdiction	1071
within the municipal corporation of Dover, and within Auburn,	1072
Bucks, Fairfield, Goshen, Jefferson, Warren, York, Dover,	1073
Franklin, Lawrence, Sandy, Sugarcreek, and Wayne townships in	1074
Tuscarawas county.	1075
The Newton Falls municipal court has jurisdiction within	1076
Bristol, Bloomfield, Lordstown, Newton, Braceville, Southington,	1077
Farmington, and Mesopotamia townships in Trumbull county.	1078
The Niles municipal court has jurisdiction within the	1079
municipal corporation of McDonald, and within Weathersfield	1080
township in Trumbull county.	1081
The Norwalk municipal court has jurisdiction within all of	1082
Huron county except within the municipal corporation of Bellevue	1083
and except within Lyme and Sherman townships.	1084
The Oberlin municipal court has jurisdiction within the	1085
municipal corporations of Amherst, Kipton, Rochester, South	1086
Amherst, and Wellington, and within Henrietta, Russia, Camden,	1087
Pittsfield, Brighton, Wellington, Penfield, Rochester, and	1088
Huntington townships, and within all of Amherst township except	1089
within the municipal corporation of Lorain, in Lorain county.	1090
The Oregon municipal court has jurisdiction within the	1091

municipal corporation of Harbor View, and within Jerusalem 1092
township, in Lucas county, and north within Maumee Bay and Lake 1093
Erie to the boundary line between Ohio and Michigan between the 1094
easterly boundary of the court and the easterly boundary of the 1095
Toledo municipal court. 1096

The Ottawa county municipal court has jurisdiction within 1097
Ottawa county. 1098

The Painesville municipal court has jurisdiction within 1099
Painesville, Perry, Leroy, Concord, and Madison townships in 1100
Lake county. 1101

The Parma municipal court has jurisdiction within the 1102
municipal corporations of Parma Heights, Brooklyn, Linndale, 1103
North Royalton, Broadview Heights, Seven Hills, and Brooklyn 1104
Heights in Cuyahoga county. 1105

Beginning January 1, 2018, the Perry county municipal 1106
court has jurisdiction within Perry county. 1107

Beginning January 1, 2020, the Paulding county municipal 1108
court has jurisdiction within Paulding county. 1109

The Perrysburg municipal court has jurisdiction within the 1110
municipal corporations of Luckey, Millbury, Northwood, Rossford, 1111
and Walbridge, and within Perrysburg, Lake, and Troy townships, 1112
in Wood county. 1113

The Portage county municipal court has jurisdiction within 1114
Portage county. 1115

The Portsmouth municipal court has jurisdiction within 1116
Scioto county. 1117

The Putnam county municipal court has jurisdiction within 1118
Putnam county. 1119

The Rocky River municipal court has jurisdiction within 1120
the municipal corporations of Bay Village, Westlake, Fairview 1121
Park, and North Olmsted, and within Riveredge township, in 1122
Cuyahoga county. 1123

The Sandusky municipal court has jurisdiction within the 1124
municipal corporations of Castalia and Bay View, and within 1125
Perkins township, in Erie county. 1126

Beginning January 1, 2013, the Sandusky county municipal 1127
court has jurisdiction within all of Sandusky county except 1128
within the municipal corporations of Bellevue and Fremont and 1129
Ballville, Sandusky, and York townships. 1130

The Shaker Heights municipal court has jurisdiction within 1131
the municipal corporations of University Heights, Beachwood, 1132
Pepper Pike, and Hunting Valley in Cuyahoga county. 1133

The Shelby municipal court has jurisdiction within Sharon, 1134
Jackson, Cass, Plymouth, and Blooming Grove townships, and 1135
within all of Butler township except sections 35-36-31 and 32, 1136
in Richland county. 1137

The Sidney municipal court has jurisdiction within Shelby 1138
county. 1139

Beginning January 1, 2009, the Stow municipal court has 1140
jurisdiction within Boston, Hudson, Northfield Center, Sagamore 1141
Hills, and Twinsburg townships, and within the municipal 1142
corporations of Boston Heights, Cuyahoga Falls, Hudson, Munroe 1143
Falls, Northfield, Peninsula, Reminderville, Silver Lake, Stow, 1144
Tallmadge, Twinsburg, and Macedonia, in Summit county. 1145

The Struthers municipal court has jurisdiction within the 1146
municipal corporations of Lowellville, New Middleton, and 1147
Poland, and within Poland and Springfield townships in Mahoning 1148

county. 1149

The Sylvania municipal court has jurisdiction within the 1150
municipal corporations of Berkey and Holland, and within 1151
Sylvania, Richfield, Spencer, and Harding townships, and within 1152
those portions of Swanton, Monclova, and Springfield townships 1153
lying north of the northerly boundary line of the Ohio turnpike, 1154
in Lucas county. 1155

Beginning January 1, 2014, the Tiffin-Fostoria municipal 1156
court has jurisdiction within Adams, Big Spring, Bloom, Clinton, 1157
Eden, Hopewell, Jackson, Liberty, Loudon, Pleasant, Reed, 1158
Scipio, Seneca, Thompson, and Venice townships in Seneca county,~~—~~ 1159
and within Washington township in Hancock county,~~—and within—~~ 1160
~~Perry township, except within the municipal corporation of West—~~ 1161
~~Millgrove, in Wood county.~~ 1162

The Toledo municipal court has jurisdiction within 1163
Washington township, and within the municipal corporation of 1164
Ottawa Hills, in Lucas county. 1165

The Upper Sandusky municipal court has jurisdiction within 1166
Wyandot county. 1167

The Vandalia municipal court has jurisdiction within the 1168
municipal corporations of Clayton, Englewood, and Union, and 1169
within Butler, Harrison, and Randolph townships, in Montgomery 1170
county. 1171

The Van Wert municipal court has jurisdiction within Van 1172
Wert county. 1173

The Vermilion municipal court has jurisdiction within the 1174
townships of Vermilion and Florence in Erie county and within 1175
all of Brownhelm township except within the municipal 1176
corporation of Lorain, in Lorain county. 1177

The Wadsworth municipal court has jurisdiction within the	1178
municipal corporations of Gloria Glens Park, Lodi, Seville, and	1179
Westfield Center, and within Guilford, Harrisville, Homer,	1180
Sharon, Wadsworth, and Westfield townships in Medina county.	1181
The Warren municipal court has jurisdiction within Warren	1182
and Champion townships, and within all of Howland township	1183
except within the municipal corporation of Niles, in Trumbull	1184
county.	1185
The Washington Court House municipal court has	1186
jurisdiction within Fayette county.	1187
The Wayne county municipal court has jurisdiction within	1188
Wayne county.	1189
The Willoughby municipal court has jurisdiction within the	1190
municipal corporations of Eastlake, Wickliffe, Willowick,	1191
Willoughby Hills, Kirtland, Kirtland Hills, Waite Hill,	1192
Timberlake, and Lakeline, and within Kirtland township, in Lake	1193
county.	1194
Through June 30, 1992, the Wilmington municipal court has	1195
jurisdiction within Clinton county.	1196
The Xenia municipal court has jurisdiction within	1197
Caesarcreek, Cedarville, Jefferson, Miami, New Jasper, Ross,	1198
Silvercreek, Spring Valley, Sugarcreek, and Xenia townships in	1199
Greene county.	1200
(C) As used in this section:	1201
(1) "Within a township" includes all land, including, but	1202
not limited to, any part of any municipal corporation, that is	1203
physically located within the territorial boundaries of that	1204
township, whether or not that land or municipal corporation is	1205

governmentally a part of the township. 1206

(2) "Within a municipal corporation" includes all land 1207
within the territorial boundaries of the municipal corporation 1208
and any townships that are coextensive with the municipal 1209
corporation. 1210

Sec. 1901.021. (A) Except as otherwise provided in 1211
division (M) of this section, the judge or judges of any 1212
municipal court established under division (A) of section 1213
1901.01 of the Revised Code having territorial jurisdiction 1214
outside the corporate limits of the municipal corporation in 1215
which it is located may sit outside the corporate limits of the 1216
municipal corporation within the area of its territorial 1217
jurisdiction. 1218

(B) Two or more of the judges of the Hamilton county 1219
municipal court may be assigned by the presiding judge of the 1220
court to sit outside the municipal corporation of Cincinnati. 1221

(C) Two of the judges of the Portage county municipal 1222
court shall sit within the municipal corporation of Ravenna, and 1223
one of the judges shall sit within the municipal corporation of 1224
Kent. The judges may sit in other incorporated areas of Portage 1225
county. 1226

(D) The judges of the Wayne county municipal court shall 1227
sit within the municipal corporation of Wooster and may sit in 1228
other incorporated areas of Wayne county. 1229

(E) The judge of the Auglaize county municipal court shall 1230
sit within the municipal corporations of Wapakoneta and St. 1231
Marys and may sit in other incorporated areas in Auglaize 1232
county. 1233

(F) At least one of the judges of the Miami county 1234

municipal court shall sit within the municipal corporations of 1235
Troy, Piqua, and Tipp City, and the judges may sit in other 1236
incorporated areas of Miami county. 1237

(G) The judge of the Crawford county municipal court shall 1238
sit within the municipal corporations of Bucyrus and Galion and 1239
may sit in other incorporated areas in Crawford county. 1240

(H) The judge of the Jackson county municipal court shall 1241
sit within the municipal corporations of Jackson and Wellston 1242
and may sit in other incorporated areas in Jackson county. 1243

(I) Each judge of the Columbiana county municipal court 1244
may sit within the municipal corporation of Lisbon, Salem, or 1245
East Palestine until the judges jointly select a central 1246
location within the territorial jurisdiction of the court. When 1247
the judges select a central location, the judges shall sit at 1248
that location. 1249

(J) In any municipal court, other than the Hamilton county 1250
municipal court and the Montgomery county municipal court, that 1251
has more than one judge, the decision for one or more judges to 1252
sit outside the corporate limits of the municipal corporation 1253
shall be made by rule of the court as provided in division (C) 1254
of sections 1901.14 and 1901.16 of the Revised Code. 1255

(K) The assignment of a judge to sit in a municipal 1256
corporation other than that in which the court is located does 1257
not affect the jurisdiction of the mayor except as provided in 1258
section 1905.01 of the Revised Code. 1259

(L) The judges of the Clermont county municipal court may 1260
sit in any municipal corporation or unincorporated territory 1261
within Clermont county. 1262

(M) Beginning July 1, 2010, the judges of the Montgomery 1263

county municipal court shall sit in the same locations as the 1264
judges of the Montgomery county county court sat before the 1265
county court was abolished on that date. The legislative 1266
authority of the Montgomery county municipal court may determine 1267
after that date that the judges of the Montgomery county 1268
municipal court shall sit in any municipal corporation or 1269
unincorporated territory within Montgomery county. 1270

(N) The judge of the Tiffin-Fostoria municipal court shall 1271
sit within each of the municipal corporations of Tiffin and 1272
Fostoria on a weekly basis. Cases that arise within the 1273
municipal corporation of Tiffin and within Adams, Big Spring, 1274
Bloom, Clinton, Eden, Hopewell, Liberty, Pleasant, Reed, Scioto, 1275
Seneca, Thompson, and Venice townships in Seneca county shall be 1276
filed in the office of the clerk of the court located in the 1277
municipal corporation of Tiffin. Cases that arise in the 1278
municipal corporation of Fostoria ~~and~~, and within Loudon and 1279
Jackson townships in Seneca county, and within Washington 1280
township in Hancock county, ~~and within Perry township, except~~ 1281
~~within the municipal corporation of West Millgrove, in Wood~~ 1282
~~county~~, shall be filed in the office of the special deputy clerk 1283
located in the municipal corporation of Fostoria. 1284

(O) The judge of the Fulton county municipal court shall 1285
sit within each of the municipal corporations of Wauseon and 1286
Swanton on a weekly basis. Cases that arise within the municipal 1287
corporation of Wauseon and within Chesterfield, Clinton, Dover, 1288
Franklin, German, and Gorham townships in Fulton county shall be 1289
filed in the office of the clerk of the court located in the 1290
municipal corporation of Wauseon. Cases that arise in the 1291
municipal corporation of Swanton and within Amboy, Fulton, Pike, 1292
Swan Creek, Royalton, and York townships shall be filed in the 1293
office of the special deputy clerk located in the municipal 1294

corporation of Swanton. 1295

Sec. 1901.041. (A) Except as authorized by or provided in 1296
division (B) of section 1901.181 of the Revised Code, all cases 1297
filed after the institution of a housing or environmental 1298
division of a municipal court and over which the division has 1299
jurisdiction shall be assigned by the administrative judge of 1300
the municipal court to the judge of the division. Any cases 1301
pending in the municipal court at the time the division is 1302
instituted and over which the division has jurisdiction shall be 1303
reassigned to the judge of the division, if the administrative 1304
judge determines that reassignment will not delay the trial of 1305
the case and that reassignment is in the best interests of the 1306
parties. 1307

(B) The Hamilton county municipal court may refer a case 1308
~~of the type described in division (B) (3) of section 2301.03 of~~ 1309
~~the Revised Code to the drug court judge of the court of common~~ 1310
~~pleas of Hamilton county pursuant to that division if the case~~ 1311
is of a type that is eligible for admission into the drug court 1312
under the local rule adopted by the court of common pleas under 1313
division (B) (3) of section 2301.03 of the Revised Code. 1314

Sec. 2301.03. (A) In Franklin county, the judges of the 1315
court of common pleas whose terms begin on January 1, 1953, 1316
January 2, 1953, January 5, 1969, January 5, 1977, January 2, 1317
1997, January 9, 2019, and January 3, 2021, and successors, 1318
shall have the same qualifications, exercise the same powers and 1319
jurisdiction, and receive the same compensation as other judges 1320
of the court of common pleas of Franklin county and shall be 1321
elected and designated as judges of the court of common pleas, 1322
division of domestic relations. They shall have all the powers 1323
relating to juvenile courts, and all cases under Chapters 2151. 1324

and 2152. of the Revised Code, all parentage proceedings under 1325
Chapter 3111. of the Revised Code over which the juvenile court 1326
has jurisdiction, and all divorce, dissolution of marriage, 1327
legal separation, and annulment cases shall be assigned to them. 1328
In addition to the judge's regular duties, the judge who is 1329
senior in point of service shall serve on the children services 1330
board and the county advisory board and shall be the 1331
administrator of the domestic relations division and its 1332
subdivisions and departments. 1333

(B) In Hamilton county: 1334

(1) The judge of the court of common pleas, whose term 1335
begins on January 1, 1957, and successors, and the judge of the 1336
court of common pleas, whose term begins on February 14, 1967, 1337
and successors, shall be the juvenile judges as provided in 1338
Chapters 2151. and 2152. of the Revised Code, with the powers 1339
and jurisdiction conferred by those chapters. 1340

(2) The judges of the court of common pleas whose terms 1341
begin on January 5, 1957, January 16, 1981, and July 1, 1991, 1342
and successors, shall be elected and designated as judges of the 1343
court of common pleas, division of domestic relations, and shall 1344
have assigned to them all divorce, dissolution of marriage, 1345
legal separation, and annulment cases coming before the court. 1346
On or after the first day of July and before the first day of 1347
August of 1991 and each year thereafter, a majority of the 1348
judges of the division of domestic relations shall elect one of 1349
the judges of the division as administrative judge of that 1350
division. If a majority of the judges of the division of 1351
domestic relations are unable for any reason to elect an 1352
administrative judge for the division before the first day of 1353
August, a majority of the judges of the Hamilton county court of 1354

common pleas, as soon as possible after that date, shall elect 1355
one of the judges of the division of domestic relations as 1356
administrative judge of that division. The term of the 1357
administrative judge shall begin on the earlier of the first day 1358
of August of the year in which the administrative judge is 1359
elected or the date on which the administrative judge is elected 1360
by a majority of the judges of the Hamilton county court of 1361
common pleas and shall terminate on the date on which the 1362
administrative judge's successor is elected in the following 1363
year. 1364

In addition to the judge's regular duties, the 1365
administrative judge of the division of domestic relations shall 1366
be the administrator of the domestic relations division and its 1367
subdivisions and departments and shall have charge of the 1368
employment, assignment, and supervision of the personnel of the 1369
division engaged in handling, servicing, or investigating 1370
divorce, dissolution of marriage, legal separation, and 1371
annulment cases, including any referees considered necessary by 1372
the judges in the discharge of their various duties. 1373

The administrative judge of the division of domestic 1374
relations also shall designate the title, compensation, expense 1375
allowances, hours, leaves of absence, and vacations of the 1376
personnel of the division, and shall fix the duties of its 1377
personnel. The duties of the personnel, in addition to those 1378
provided for in other sections of the Revised Code, shall 1379
include the handling, servicing, and investigation of divorce, 1380
dissolution of marriage, legal separation, and annulment cases 1381
and counseling and conciliation services that may be made 1382
available to persons requesting them, whether or not the persons 1383
are parties to an action pending in the division. 1384

The board of county commissioners shall appropriate the 1385
sum of money each year as will meet all the administrative 1386
expenses of the division of domestic relations, including 1387
reasonable expenses of the domestic relations judges and the 1388
division counselors and other employees designated to conduct 1389
the handling, servicing, and investigation of divorce, 1390
dissolution of marriage, legal separation, and annulment cases, 1391
conciliation and counseling, and all matters relating to those 1392
cases and counseling, and the expenses involved in the 1393
attendance of division personnel at domestic relations and 1394
welfare conferences designated by the division, and the further 1395
sum each year as will provide for the adequate operation of the 1396
division of domestic relations. 1397

The compensation and expenses of all employees and the 1398
salary and expenses of the judges shall be paid by the county 1399
treasurer from the money appropriated for the operation of the 1400
division, upon the warrant of the county auditor, certified to 1401
by the administrative judge of the division of domestic 1402
relations. 1403

The summonses, warrants, citations, subpoenas, and other 1404
writs of the division may issue to a bailiff, constable, or 1405
staff investigator of the division or to the sheriff of any 1406
county or any marshal, constable, or police officer, and the 1407
provisions of law relating to the subpoenaing of witnesses in 1408
other cases shall apply insofar as they are applicable. When a 1409
summons, warrant, citation, subpoena, or other writ is issued to 1410
an officer, other than a bailiff, constable, or staff 1411
investigator of the division, the expense of serving it shall be 1412
assessed as a part of the costs in the case involved. 1413

(3) The judge of the court of common pleas of Hamilton 1414

county whose term begins on January 3, 1997, and the successors 1415
to that judge shall each be elected and designated as the drug 1416
court judge of the court of common pleas of Hamilton county. ~~The~~ 1417
~~drug court judge may accept or reject any case referred to the~~ 1418
~~drug court judge under division (B) (3) of this section. After~~ 1419
~~the drug court judge accepts a referred case, the drug court~~ 1420
~~judge has full authority over the case, including the authority~~ 1421
~~to conduct arraignment, accept pleas, enter findings and~~ 1422
~~dispositions, conduct trials, order treatment, and if treatment~~ 1423
~~is not successfully completed pronounce and enter sentence.~~ 1424

~~A judge of the general division of the court of common~~ 1425
~~pleas of Hamilton county and a judge of the Hamilton county~~ 1426
~~municipal court may refer to the drug court judge any case, and~~ 1427
~~any companion cases, the judge determines meet the criteria~~ 1428
~~described under divisions (B) (3) (a) and (b) of this section. If~~ 1429
~~the drug court judge accepts referral of a referred case, the~~ 1430
~~case, and any companion cases, shall be transferred to the drug~~ 1431
~~court judge. A judge may refer a case meeting the criteria~~ 1432
~~described in divisions (B) (3) (a) and (b) of this section that~~ 1433
~~involves a violation of a condition of a community control~~ 1434
~~sanction to the drug court judge, and, if the drug court judge~~ 1435
~~accepts the referral, the referring judge and the drug court~~ 1436
~~judge have concurrent jurisdiction over the case.~~ 1437

~~A judge of the general division of the court of common~~ 1438
~~pleas of Hamilton county and a judge of the Hamilton county~~ 1439
~~municipal court may refer a case to the drug court judge under~~ 1440
~~division (B) (3) of this section if the judge determines that~~ 1441
~~both of the following apply:—~~ 1442

~~(a) One of the following applies:—~~ 1443

~~(i) The case involves a drug abuse offense, as defined in—~~ 1444

~~section 2925.01 of the Revised Code, that is a felony of the~~ 1445
~~third or fourth degree if the offense is committed prior to July~~ 1446
~~1, 1996, a felony of the third, fourth, or fifth degree if the~~ 1447
~~offense is committed on or after July 1, 1996, or a misdemeanor.~~ 1448

~~(ii) The case involves a theft offense, as defined in~~ 1449
~~section 2913.01 of the Revised Code, that is a felony of the~~ 1450
~~third or fourth degree if the offense is committed prior to July~~ 1451
~~1, 1996, a felony of the third, fourth, or fifth degree if the~~ 1452
~~offense is committed on or after July 1, 1996, or a misdemeanor,~~ 1453
~~and the defendant is drug or alcohol dependent or in danger of~~ 1454
~~becoming drug or alcohol dependent and would benefit from~~ 1455
~~treatment.~~ 1456

~~(b) All of the following apply:~~ 1457

~~(i) The case involves an offense for which a community~~ 1458
~~control sanction may be imposed or is a case in which a~~ 1459
~~mandatory prison term or a mandatory jail term is not required~~ 1460
~~to be imposed.~~ 1461

~~(ii) The defendant has no history of violent behavior.~~ 1462

~~(iii) The defendant has no history of mental illness.~~ 1463

~~(iv) The defendant's current or past behavior, or both, is~~ 1464
~~drug or alcohol driven.~~ 1465

~~(v) The defendant demonstrates a sincere willingness to~~ 1466
~~participate in a fifteen-month treatment process.~~ 1467

~~(vi) The defendant has no acute health condition.~~ 1468

~~(vii) If the defendant is incarcerated, the county~~ 1469
~~prosecutor approves of the referral~~Eligibility for admission of 1470
a case into the drug court shall be set forth in a local rule 1471
adopted by the court of common pleas of Hamilton county. The 1472

local rule specifying eligibility shall not permit referral to 1473
the drug court of a case that involves a felony of the first or 1474
second degree, a violation of any prohibition contained in 1475
Chapter 2907. of the Revised Code that is a felony of the third 1476
degree, or a violation of section 2903.01 or 2903.02 of the 1477
Revised Code. 1478

(4) If the administrative judge of the court of common 1479
pleas of Hamilton county determines that the volume of cases 1480
pending before the drug court judge does not constitute a 1481
sufficient caseload for the drug court judge, the administrative 1482
judge, in accordance with the Rules of Superintendence for 1483
Courts of Common Pleas, shall assign individual cases to the 1484
drug court judge from the general docket of the court. If the 1485
assignments so occur, the administrative judge shall cease the 1486
assignments when the administrative judge determines that the 1487
volume of cases pending before the drug court judge constitutes 1488
a sufficient caseload for the drug court judge. 1489

~~(5) As used in division (B) of this section, "community-~~ 1490
~~control sanction," "mandatory prison term," and "mandatory jail-~~ 1491
~~term" have the same meanings as in section 2929.01 of the-~~ 1492
~~Revised Code.~~ 1493

(C) (1) In Lorain county: 1494

(a) The judges of the court of common pleas whose terms 1495
begin on January 3, 1959, January 4, 1989, and January 2, 1999, 1496
and successors, and the judge of the court of common pleas whose 1497
term begins on February 9, 2009, shall have the same 1498
qualifications, exercise the same powers and jurisdiction, and 1499
receive the same compensation as the other judges of the court 1500
of common pleas of Lorain county and shall be elected and 1501
designated as the judges of the court of common pleas, division 1502

of domestic relations. The judges of the court of common pleas 1503
whose terms begin on January 3, 1959, January 4, 1989, and 1504
January 2, 1999, and successors, shall have all of the powers 1505
relating to juvenile courts, and all cases under Chapters 2151. 1506
and 2152. of the Revised Code, all parentage proceedings over 1507
which the juvenile court has jurisdiction, and all divorce, 1508
dissolution of marriage, legal separation, and annulment cases 1509
shall be assigned to them, except cases that for some special 1510
reason are assigned to some other judge of the court of common 1511
pleas. From February 9, 2009, through September 28, 2009, the 1512
judge of the court of common pleas whose term begins on February 1513
9, 2009, shall have all the powers relating to juvenile courts, 1514
and cases under Chapters 2151. and 2152. of the Revised Code, 1515
parentage proceedings over which the juvenile court has 1516
jurisdiction, and divorce, dissolution of marriage, legal 1517
separation, and annulment cases shall be assigned to that judge, 1518
except cases that for some special reason are assigned to some 1519
other judge of the court of common pleas. 1520

(b) From January 1, 2006, through September 28, 2009, the 1521
judges of the court of common pleas, division of domestic 1522
relations, in addition to the powers and jurisdiction set forth 1523
in division (C) (1) (a) of this section, shall have jurisdiction 1524
over matters that are within the jurisdiction of the probate 1525
court under Chapter 2101. and other provisions of the Revised 1526
Code. 1527

(c) The judge of the court of common pleas, division of 1528
domestic relations, whose term begins on February 9, 2009, is 1529
the successor to the probate judge who was elected in 2002 for a 1530
term that began on February 9, 2003. After September 28, 2009, 1531
the judge of the court of common pleas, division of domestic 1532
relations, whose term begins on February 9, 2009, shall be the 1533

probate judge. 1534

(2) (a) From February 9, 2009, through September 28, 2009, 1535
with respect to Lorain county, all references in law to the 1536
probate court shall be construed as references to the court of 1537
common pleas, division of domestic relations, and all references 1538
to the probate judge shall be construed as references to the 1539
judges of the court of common pleas, division of domestic 1540
relations. 1541

(b) From February 9, 2009, through September 28, 2009, 1542
with respect to Lorain county, all references in law to the 1543
clerk of the probate court shall be construed as references to 1544
the judge who is serving pursuant to Rule 4 of the Rules of 1545
Superintendence for the Courts of Ohio as the administrative 1546
judge of the court of common pleas, division of domestic 1547
relations. 1548

(D) In Lucas county: 1549

(1) The judges of the court of common pleas whose terms 1550
begin on January 1, 1955, and January 3, 1965, and successors, 1551
shall have the same qualifications, exercise the same powers and 1552
jurisdiction, and receive the same compensation as other judges 1553
of the court of common pleas of Lucas county and shall be 1554
elected and designated as judges of the court of common pleas, 1555
division of domestic relations. All divorce, dissolution of 1556
marriage, legal separation, and annulment cases shall be 1557
assigned to them. 1558

The judge of the division of domestic relations, senior in 1559
point of service, shall be considered as the presiding judge of 1560
the court of common pleas, division of domestic relations, and 1561
shall be charged exclusively with the assignment and division of 1562

the work of the division and the employment and supervision of 1563
all other personnel of the domestic relations division. 1564

(2) The judges of the court of common pleas whose terms 1565
begin on January 5, 1977, and January 2, 1991, and successors 1566
shall have the same qualifications, exercise the same powers and 1567
jurisdiction, and receive the same compensation as other judges 1568
of the court of common pleas of Lucas county, shall be elected 1569
and designated as judges of the court of common pleas, juvenile 1570
division, and shall be the juvenile judges as provided in 1571
Chapters 2151. and 2152. of the Revised Code with the powers and 1572
jurisdictions conferred by those chapters. In addition to the 1573
judge's regular duties, the judge of the court of common pleas, 1574
juvenile division, senior in point of service, shall be the 1575
administrator of the juvenile division and its subdivisions and 1576
departments and shall have charge of the employment, assignment, 1577
and supervision of the personnel of the division engaged in 1578
handling, servicing, or investigating juvenile cases, including 1579
any referees considered necessary by the judges of the division 1580
in the discharge of their various duties. 1581

The judge of the court of common pleas, juvenile division, 1582
senior in point of service, also shall designate the title, 1583
compensation, expense allowance, hours, leaves of absence, and 1584
vacation of the personnel of the division and shall fix the 1585
duties of the personnel of the division. The duties of the 1586
personnel, in addition to other statutory duties include the 1587
handling, servicing, and investigation of juvenile cases and 1588
counseling and conciliation services that may be made available 1589
to persons requesting them, whether or not the persons are 1590
parties to an action pending in the division. 1591

(3) If one of the judges of the court of common pleas, 1592

division of domestic relations, or one of the judges of the 1593
juvenile division is sick, absent, or unable to perform that 1594
judge's judicial duties or the volume of cases pending in that 1595
judge's division necessitates it, the duties shall be performed 1596
by the judges of the other of those divisions. 1597

(E) In Mahoning county: 1598

(1) The judge of the court of common pleas whose term 1599
began on January 1, 1955, and successors, shall have the same 1600
qualifications, exercise the same powers and jurisdiction, and 1601
receive the same compensation as other judges of the court of 1602
common pleas of Mahoning county, shall be elected and designated 1603
as judge of the court of common pleas, division of domestic 1604
relations, and shall be assigned all the divorce, dissolution of 1605
marriage, legal separation, and annulment cases coming before 1606
the court. In addition to the judge's regular duties, the judge 1607
of the court of common pleas, division of domestic relations, 1608
shall be the administrator of the domestic relations division 1609
and its subdivisions and departments and shall have charge of 1610
the employment, assignment, and supervision of the personnel of 1611
the division engaged in handling, servicing, or investigating 1612
divorce, dissolution of marriage, legal separation, and 1613
annulment cases, including any referees considered necessary in 1614
the discharge of the various duties of the judge's office. 1615

The judge also shall designate the title, compensation, 1616
expense allowances, hours, leaves of absence, and vacations of 1617
the personnel of the division and shall fix the duties of the 1618
personnel of the division. The duties of the personnel, in 1619
addition to other statutory duties, include the handling, 1620
servicing, and investigation of divorce, dissolution of 1621
marriage, legal separation, and annulment cases and counseling 1622

and conciliation services that may be made available to persons 1623
requesting them, whether or not the persons are parties to an 1624
action pending in the division. 1625

(2) The judge of the court of common pleas whose term 1626
began on January 2, 1969, and successors, shall have the same 1627
qualifications, exercise the same powers and jurisdiction, and 1628
receive the same compensation as other judges of the court of 1629
common pleas of Mahoning county, shall be elected and designated 1630
as judge of the court of common pleas, juvenile division, and 1631
shall be the juvenile judge as provided in Chapters 2151. and 1632
2152. of the Revised Code, with the powers and jurisdictions 1633
conferred by those chapters. In addition to the judge's regular 1634
duties, the judge of the court of common pleas, juvenile 1635
division, shall be the administrator of the juvenile division 1636
and its subdivisions and departments and shall have charge of 1637
the employment, assignment, and supervision of the personnel of 1638
the division engaged in handling, servicing, or investigating 1639
juvenile cases, including any referees considered necessary by 1640
the judge in the discharge of the judge's various duties. 1641

The judge also shall designate the title, compensation, 1642
expense allowances, hours, leaves of absence, and vacation of 1643
the personnel of the division and shall fix the duties of the 1644
personnel of the division. The duties of the personnel, in 1645
addition to other statutory duties, include the handling, 1646
servicing, and investigation of juvenile cases and counseling 1647
and conciliation services that may be made available to persons 1648
requesting them, whether or not the persons are parties to an 1649
action pending in the division. 1650

(3) If a judge of the court of common pleas, division of 1651
domestic relations or juvenile division, is sick, absent, or 1652

unable to perform that judge's judicial duties, or the volume of 1653
cases pending in that judge's division necessitates it, that 1654
judge's duties shall be performed by another judge of the court 1655
of common pleas. 1656

(F) In Montgomery county: 1657

(1) The judges of the court of common pleas whose terms 1658
begin on January 2, 1953, and January 4, 1977, and successors, 1659
shall have the same qualifications, exercise the same powers and 1660
jurisdiction, and receive the same compensation as other judges 1661
of the court of common pleas of Montgomery county and shall be 1662
elected and designated as judges of the court of common pleas, 1663
division of domestic relations. These judges shall have assigned 1664
to them all divorce, dissolution of marriage, legal separation, 1665
and annulment cases. 1666

The judge of the division of domestic relations, senior in 1667
point of service, shall be charged exclusively with the 1668
assignment and division of the work of the division and shall 1669
have charge of the employment and supervision of the personnel 1670
of the division engaged in handling, servicing, or investigating 1671
divorce, dissolution of marriage, legal separation, and 1672
annulment cases, including any necessary referees, except those 1673
employees who may be appointed by the judge, junior in point of 1674
service, under this section and sections 2301.12 and 2301.18 of 1675
the Revised Code. The judge of the division of domestic 1676
relations, senior in point of service, also shall designate the 1677
title, compensation, expense allowances, hours, leaves of 1678
absence, and vacation of the personnel of the division and shall 1679
fix their duties. 1680

(2) The judges of the court of common pleas whose terms 1681
begin on January 1, 1953, and January 1, 1993, and successors, 1682

shall have the same qualifications, exercise the same powers and 1683
jurisdiction, and receive the same compensation as other judges 1684
of the court of common pleas of Montgomery county, shall be 1685
elected and designated as judges of the court of common pleas, 1686
juvenile division, and shall be, and have the powers and 1687
jurisdiction of, the juvenile judge as provided in Chapters 1688
2151. and 2152. of the Revised Code. 1689

In addition to the judge's regular duties, the judge of 1690
the court of common pleas, juvenile division, senior in point of 1691
service, shall be the administrator of the juvenile division and 1692
its subdivisions and departments and shall have charge of the 1693
employment, assignment, and supervision of the personnel of the 1694
juvenile division, including any necessary referees, who are 1695
engaged in handling, servicing, or investigating juvenile cases. 1696
The judge, senior in point of service, also shall designate the 1697
title, compensation, expense allowances, hours, leaves of 1698
absence, and vacation of the personnel of the division and shall 1699
fix their duties. The duties of the personnel, in addition to 1700
other statutory duties, shall include the handling, servicing, 1701
and investigation of juvenile cases and of any counseling and 1702
conciliation services that are available upon request to 1703
persons, whether or not they are parties to an action pending in 1704
the division. 1705

If one of the judges of the court of common pleas, 1706
division of domestic relations, or one of the judges of the 1707
court of common pleas, juvenile division, is sick, absent, or 1708
unable to perform that judge's duties or the volume of cases 1709
pending in that judge's division necessitates it, the duties of 1710
that judge may be performed by the judge or judges of the other 1711
of those divisions. 1712

(G) In Richland county: 1713

(1) The judge of the court of common pleas whose term 1714
begins on January 1, 1957, and successors, shall have the same 1715
qualifications, exercise the same powers and jurisdiction, and 1716
receive the same compensation as the other judges of the court 1717
of common pleas of Richland county and shall be elected and 1718
designated as judge of the court of common pleas, division of 1719
domestic relations. That judge shall be assigned and hear all 1720
divorce, dissolution of marriage, legal separation, and 1721
annulment cases, all domestic violence cases arising under 1722
section 3113.31 of the Revised Code, and all post-decree 1723
proceedings arising from any case pertaining to any of those 1724
matters. The division of domestic relations has concurrent 1725
jurisdiction with the juvenile division of the court of common 1726
pleas of Richland county to determine the care, custody, or 1727
control of any child not a ward of another court of this state, 1728
and to hear and determine a request for an order for the support 1729
of any child if the request is not ancillary to an action for 1730
divorce, dissolution of marriage, annulment, or legal 1731
separation, a criminal or civil action involving an allegation 1732
of domestic violence, or an action for support brought under 1733
Chapter 3115. of the Revised Code. Except in cases that are 1734
subject to the exclusive original jurisdiction of the juvenile 1735
court, the judge of the division of domestic relations shall be 1736
assigned and hear all cases pertaining to paternity or 1737
parentage, the care, custody, or control of children, parenting 1738
time or visitation, child support, or the allocation of parental 1739
rights and responsibilities for the care of children, all 1740
proceedings arising under Chapter 3111. of the Revised Code, all 1741
proceedings arising under the uniform interstate family support 1742
act contained in Chapter 3115. of the Revised Code, and all 1743

post-decree proceedings arising from any case pertaining to any 1744
of those matters. 1745

In addition to the judge's regular duties, the judge of 1746
the court of common pleas, division of domestic relations, shall 1747
be the administrator of the domestic relations division and its 1748
subdivisions and departments. The judge shall have charge of the 1749
employment, assignment, and supervision of the personnel of the 1750
domestic relations division, including any magistrates the judge 1751
considers necessary for the discharge of the judge's duties. The 1752
judge shall also designate the title, compensation, expense 1753
allowances, hours, leaves of absence, vacation, and other 1754
employment-related matters of the personnel of the division and 1755
shall fix their duties. 1756

(2) The judge of the court of common pleas whose term 1757
begins on January 3, 2005, and successors, shall have the same 1758
qualifications, exercise the same powers and jurisdiction, and 1759
receive the same compensation as other judges of the court of 1760
common pleas of Richland county, shall be elected and designated 1761
as judge of the court of common pleas, juvenile division, and 1762
shall be, and have the powers and jurisdiction of, the juvenile 1763
judge as provided in Chapters 2151. and 2152. of the Revised 1764
Code. Except in cases that are subject to the exclusive original 1765
jurisdiction of the juvenile court, the judge of the juvenile 1766
division shall not have jurisdiction or the power to hear, and 1767
shall not be assigned, any case pertaining to paternity or 1768
parentage, the care, custody, or control of children, parenting 1769
time or visitation, child support, or the allocation of parental 1770
rights and responsibilities for the care of children or any 1771
post-decree proceeding arising from any case pertaining to any 1772
of those matters. The judge of the juvenile division shall not 1773
have jurisdiction or the power to hear, and shall not be 1774

assigned, any proceeding under the uniform interstate family 1775
support act contained in Chapter 3115. of the Revised Code. 1776

In addition to the judge's regular duties, the judge of 1777
the juvenile division shall be the administrator of the juvenile 1778
division and its subdivisions and departments. The judge shall 1779
have charge of the employment, assignment, and supervision of 1780
the personnel of the juvenile division who are engaged in 1781
handling, servicing, or investigating juvenile cases, including 1782
any magistrates whom the judge considers necessary for the 1783
discharge of the judge's various duties. 1784

The judge of the juvenile division also shall designate 1785
the title, compensation, expense allowances, hours, leaves of 1786
absence, and vacation of the personnel of the division and shall 1787
fix their duties. The duties of the personnel, in addition to 1788
other statutory duties, include the handling, servicing, and 1789
investigation of juvenile cases and providing any counseling, 1790
conciliation, and mediation services that the court makes 1791
available to persons, whether or not the persons are parties to 1792
an action pending in the court, who request the services. 1793

(H) (1) In Stark county, the judges of the court of common 1794
pleas whose terms begin on January 1, 1953, January 2, 1959, and 1795
January 1, 1993, and successors, shall have the same 1796
qualifications, exercise the same powers and jurisdiction, and 1797
receive the same compensation as other judges of the court of 1798
common pleas of Stark county and shall be elected and designated 1799
as judges of the court of common pleas, family court division. 1800
They shall have all the powers relating to juvenile courts, and 1801
all cases under Chapters 2151. and 2152. of the Revised Code, 1802
all parentage proceedings over which the juvenile court has 1803
jurisdiction, and all divorce, dissolution of marriage, legal 1804

separation, and annulment cases, except cases that are assigned 1805
to some other judge of the court of common pleas for some 1806
special reason, shall be assigned to the judges. 1807

(2) The judge of the family court division, second most 1808
senior in point of service, shall have charge of the employment 1809
and supervision of the personnel of the division engaged in 1810
handling, servicing, or investigating divorce, dissolution of 1811
marriage, legal separation, and annulment cases, and necessary 1812
referees required for the judge's respective court. 1813

(3) The judge of the family court division, senior in 1814
point of service, shall be charged exclusively with the 1815
administration of sections 2151.13, 2151.16, 2151.17, and 1816
2152.71 of the Revised Code and with the assignment and division 1817
of the work of the division and the employment and supervision 1818
of all other personnel of the division, including, but not 1819
limited to, that judge's necessary referees, but excepting those 1820
employees who may be appointed by the judge second most senior 1821
in point of service. The senior judge further shall serve in 1822
every other position in which the statutes permit or require a 1823
juvenile judge to serve. 1824

(4) On and after September 29, 2015, all references in law 1825
to "the division of domestic relations," "the domestic relations 1826
division," "the domestic relations court," "the judge of the 1827
division of domestic relations," or "the judge of the domestic 1828
relations division" shall be construed, with respect to Stark 1829
county, as being references to "the family court division" or 1830
"the judge of the family court division." 1831

(I) In Summit county: 1832

(1) The judges of the court of common pleas whose terms 1833

begin on January 4, 1967, and January 6, 1993, and successors, 1834
shall have the same qualifications, exercise the same powers and 1835
jurisdiction, and receive the same compensation as other judges 1836
of the court of common pleas of Summit county and shall be 1837
elected and designated as judges of the court of common pleas, 1838
division of domestic relations. The judges of the division of 1839
domestic relations shall have assigned to them and hear all 1840
divorce, dissolution of marriage, legal separation, and 1841
annulment cases that come before the court. Except in cases that 1842
are subject to the exclusive original jurisdiction of the 1843
juvenile court, the judges of the division of domestic relations 1844
shall have assigned to them and hear all cases pertaining to 1845
paternity, custody, visitation, child support, or the allocation 1846
of parental rights and responsibilities for the care of children 1847
and all post-decree proceedings arising from any case pertaining 1848
to any of those matters. The judges of the division of domestic 1849
relations shall have assigned to them and hear all proceedings 1850
under the uniform interstate family support act contained in 1851
Chapter 3115. of the Revised Code. 1852

The judge of the division of domestic relations, senior in 1853
point of service, shall be the administrator of the domestic 1854
relations division and its subdivisions and departments and 1855
shall have charge of the employment, assignment, and supervision 1856
of the personnel of the division, including any necessary 1857
referees, who are engaged in handling, servicing, or 1858
investigating divorce, dissolution of marriage, legal 1859
separation, and annulment cases. That judge also shall designate 1860
the title, compensation, expense allowances, hours, leaves of 1861
absence, and vacations of the personnel of the division and 1862
shall fix their duties. The duties of the personnel, in addition 1863
to other statutory duties, shall include the handling, 1864

servicing, and investigation of divorce, dissolution of 1865
marriage, legal separation, and annulment cases and of any 1866
counseling and conciliation services that are available upon 1867
request to all persons, whether or not they are parties to an 1868
action pending in the division. 1869

(2) The judge of the court of common pleas whose term 1870
begins on January 1, 1955, and successors, shall have the same 1871
qualifications, exercise the same powers and jurisdiction, and 1872
receive the same compensation as other judges of the court of 1873
common pleas of Summit county, shall be elected and designated 1874
as judge of the court of common pleas, juvenile division, and 1875
shall be, and have the powers and jurisdiction of, the juvenile 1876
judge as provided in Chapters 2151. and 2152. of the Revised 1877
Code. Except in cases that are subject to the exclusive original 1878
jurisdiction of the juvenile court, the judge of the juvenile 1879
division shall not have jurisdiction or the power to hear, and 1880
shall not be assigned, any case pertaining to paternity, 1881
custody, visitation, child support, or the allocation of 1882
parental rights and responsibilities for the care of children or 1883
any post-decree proceeding arising from any case pertaining to 1884
any of those matters. The judge of the juvenile division shall 1885
not have jurisdiction or the power to hear, and shall not be 1886
assigned, any proceeding under the uniform interstate family 1887
support act contained in Chapter 3115. of the Revised Code. 1888

The juvenile judge shall be the administrator of the 1889
juvenile division and its subdivisions and departments and shall 1890
have charge of the employment, assignment, and supervision of 1891
the personnel of the juvenile division, including any necessary 1892
referees, who are engaged in handling, servicing, or 1893
investigating juvenile cases. The judge also shall designate the 1894
title, compensation, expense allowances, hours, leaves of 1895

absence, and vacation of the personnel of the division and shall 1896
fix their duties. The duties of the personnel, in addition to 1897
other statutory duties, shall include the handling, servicing, 1898
and investigation of juvenile cases and of any counseling and 1899
conciliation services that are available upon request to 1900
persons, whether or not they are parties to an action pending in 1901
the division. 1902

(J) In Trumbull county, the judges of the court of common 1903
pleas whose terms begin on January 1, 1953, and January 2, 1977, 1904
and successors, shall have the same qualifications, exercise the 1905
same powers and jurisdiction, and receive the same compensation 1906
as other judges of the court of common pleas of Trumbull county 1907
and shall be elected and designated as judges of the court of 1908
common pleas, division of domestic relations. They shall have 1909
all the powers relating to juvenile courts, and all cases under 1910
Chapters 2151. and 2152. of the Revised Code, all parentage 1911
proceedings over which the juvenile court has jurisdiction, and 1912
all divorce, dissolution of marriage, legal separation, and 1913
annulment cases shall be assigned to them, except cases that for 1914
some special reason are assigned to some other judge of the 1915
court of common pleas. 1916

(K) In Butler county: 1917

(1) The judges of the court of common pleas whose terms 1918
begin on January 1, 1957, and January 4, 1993, and successors, 1919
shall have the same qualifications, exercise the same powers and 1920
jurisdiction, and receive the same compensation as other judges 1921
of the court of common pleas of Butler county and shall be 1922
elected and designated as judges of the court of common pleas, 1923
division of domestic relations. The judges of the division of 1924
domestic relations shall have assigned to them all divorce, 1925

dissolution of marriage, legal separation, and annulment cases 1926
coming before the court, except in cases that for some special 1927
reason are assigned to some other judge of the court of common 1928
pleas. The judges of the division of domestic relations also 1929
have concurrent jurisdiction with judges of the juvenile 1930
division of the court of common pleas of Butler county with 1931
respect to and may hear cases to determine the custody, support, 1932
or custody and support of a child who is born of issue of a 1933
marriage and who is not the ward of another court of this state, 1934
cases commenced by a party of the marriage to obtain an order 1935
requiring support of any child when the request for that order 1936
is not ancillary to an action for divorce, dissolution of 1937
marriage, annulment, or legal separation, a criminal or civil 1938
action involving an allegation of domestic violence, an action 1939
for support under Chapter 3115. of the Revised Code, or an 1940
action that is within the exclusive original jurisdiction of the 1941
juvenile division of the court of common pleas of Butler county 1942
and that involves an allegation that the child is an abused, 1943
neglected, or dependent child, and post-decree proceedings and 1944
matters arising from those types of cases. The judge senior in 1945
point of service shall be charged with the assignment and 1946
division of the work of the division and with the employment and 1947
supervision of all other personnel of the domestic relations 1948
division. 1949

The judge senior in point of service also shall designate 1950
the title, compensation, expense allowances, hours, leaves of 1951
absence, and vacations of the personnel of the division and 1952
shall fix their duties. The duties of the personnel, in addition 1953
to other statutory duties, shall include the handling, 1954
servicing, and investigation of divorce, dissolution of 1955
marriage, legal separation, and annulment cases and providing 1956

any counseling and conciliation services that the division makes 1957
available to persons, whether or not the persons are parties to 1958
an action pending in the division, who request the services. 1959

(2) The judges of the court of common pleas whose terms 1960
begin on January 3, 1987, and January 2, 2003, and successors, 1961
shall have the same qualifications, exercise the same powers and 1962
jurisdiction, and receive the same compensation as other judges 1963
of the court of common pleas of Butler county, shall be elected 1964
and designated as judges of the court of common pleas, juvenile 1965
division, and shall be the juvenile judges as provided in 1966
Chapters 2151. and 2152. of the Revised Code, with the powers 1967
and jurisdictions conferred by those chapters. Except in cases 1968
that are subject to the exclusive original jurisdiction of the 1969
juvenile court, the judges of the juvenile division shall not 1970
have jurisdiction or the power to hear and shall not be 1971
assigned, but shall have the limited ability and authority to 1972
certify, any case commenced by a party of a marriage to 1973
determine the custody, support, or custody and support of a 1974
child who is born of issue of the marriage and who is not the 1975
ward of another court of this state when the request for the 1976
order in the case is not ancillary to an action for divorce, 1977
dissolution of marriage, annulment, or legal separation. The 1978
judge of the court of common pleas, juvenile division, who is 1979
senior in point of service, shall be the administrator of the 1980
juvenile division and its subdivisions and departments. The 1981
judge, senior in point of service, shall have charge of the 1982
employment, assignment, and supervision of the personnel of the 1983
juvenile division who are engaged in handling, servicing, or 1984
investigating juvenile cases, including any referees whom the 1985
judge considers necessary for the discharge of the judge's 1986
various duties. 1987

The judge, senior in point of service, also shall 1988
designate the title, compensation, expense allowances, hours, 1989
leaves of absence, and vacation of the personnel of the division 1990
and shall fix their duties. The duties of the personnel, in 1991
addition to other statutory duties, include the handling, 1992
servicing, and investigation of juvenile cases and providing any 1993
counseling and conciliation services that the division makes 1994
available to persons, whether or not the persons are parties to 1995
an action pending in the division, who request the services. 1996

(3) If a judge of the court of common pleas, division of 1997
domestic relations or juvenile division, is sick, absent, or 1998
unable to perform that judge's judicial duties or the volume of 1999
cases pending in the judge's division necessitates it, the 2000
duties of that judge shall be performed by the other judges of 2001
the domestic relations and juvenile divisions. 2002

(L)(1) In Cuyahoga county, the judges of the court of 2003
common pleas whose terms begin on January 8, 1961, January 9, 2004
1961, January 18, 1975, January 19, 1975, and January 13, 1987, 2005
and successors, shall have the same qualifications, exercise the 2006
same powers and jurisdiction, and receive the same compensation 2007
as other judges of the court of common pleas of Cuyahoga county 2008
and shall be elected and designated as judges of the court of 2009
common pleas, division of domestic relations. They shall have 2010
all the powers relating to all divorce, dissolution of marriage, 2011
legal separation, and annulment cases, except in cases that are 2012
assigned to some other judge of the court of common pleas for 2013
some special reason. 2014

(2) The administrative judge is administrator of the 2015
domestic relations division and its subdivisions and departments 2016
and has the following powers concerning division personnel: 2017

(a) Full charge of the employment, assignment, and supervision;	2018 2019
(b) Sole determination of compensation, duties, expenses, allowances, hours, leaves, and vacations.	2020 2021
(3) "Division personnel" include persons employed or referees engaged in hearing, servicing, investigating, counseling, or conciliating divorce, dissolution of marriage, legal separation and annulment matters.	2022 2023 2024 2025
(M) In Lake county:	2026
(1) The judge of the court of common pleas whose term begins on January 2, 1961, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Lake county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall be assigned all the divorce, dissolution of marriage, legal separation, and annulment cases coming before the court, except in cases that for some special reason are assigned to some other judge of the court of common pleas. The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of all other personnel of the domestic relations division.	2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040
The judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and	2041 2042 2043 2044 2045 2046

annulment cases and providing any counseling and conciliation 2047
services that the division makes available to persons, whether 2048
or not the persons are parties to an action pending in the 2049
division, who request the services. 2050

(2) The judge of the court of common pleas whose term 2051
begins on January 4, 1979, and successors, shall have the same 2052
qualifications, exercise the same powers and jurisdiction, and 2053
receive the same compensation as other judges of the court of 2054
common pleas of Lake county, shall be elected and designated as 2055
judge of the court of common pleas, juvenile division, and shall 2056
be the juvenile judge as provided in Chapters 2151. and 2152. of 2057
the Revised Code, with the powers and jurisdictions conferred by 2058
those chapters. The judge of the court of common pleas, juvenile 2059
division, shall be the administrator of the juvenile division 2060
and its subdivisions and departments. The judge shall have 2061
charge of the employment, assignment, and supervision of the 2062
personnel of the juvenile division who are engaged in handling, 2063
servicing, or investigating juvenile cases, including any 2064
referees whom the judge considers necessary for the discharge of 2065
the judge's various duties. 2066

The judge also shall designate the title, compensation, 2067
expense allowances, hours, leaves of absence, and vacation of 2068
the personnel of the division and shall fix their duties. The 2069
duties of the personnel, in addition to other statutory duties, 2070
include the handling, servicing, and investigation of juvenile 2071
cases and providing any counseling and conciliation services 2072
that the division makes available to persons, whether or not the 2073
persons are parties to an action pending in the division, who 2074
request the services. 2075

(3) If a judge of the court of common pleas, division of 2076

domestic relations or juvenile division, is sick, absent, or 2077
unable to perform that judge's judicial duties or the volume of 2078
cases pending in the judge's division necessitates it, the 2079
duties of that judge shall be performed by the other judges of 2080
the domestic relations and juvenile divisions. 2081

(N) In Erie county: 2082

(1) The judge of the court of common pleas whose term 2083
begins on January 2, 1971, and the successors to that judge 2084
whose terms begin before January 2, 2007, shall have the same 2085
qualifications, exercise the same powers and jurisdiction, and 2086
receive the same compensation as the other judge of the court of 2087
common pleas of Erie county and shall be elected and designated 2088
as judge of the court of common pleas, division of domestic 2089
relations. The judge shall have all the powers relating to 2090
juvenile courts, and shall be assigned all cases under Chapters 2091
2151. and 2152. of the Revised Code, parentage proceedings over 2092
which the juvenile court has jurisdiction, and divorce, 2093
dissolution of marriage, legal separation, and annulment cases, 2094
except cases that for some special reason are assigned to some 2095
other judge. 2096

On or after January 2, 2007, the judge of the court of 2097
common pleas who is elected in 2006 shall be the successor to 2098
the judge of the domestic relations division whose term expires 2099
on January 1, 2007, shall be designated as judge of the court of 2100
common pleas, juvenile division, and shall be the juvenile judge 2101
as provided in Chapters 2151. and 2152. of the Revised Code with 2102
the powers and jurisdictions conferred by those chapters. 2103

(2) The judge of the court of common pleas, general 2104
division, whose term begins on January 1, 2005, and successors, 2105
the judge of the court of common pleas, general division whose 2106

term begins on January 2, 2005, and successors, and the judge of 2107
the court of common pleas, general division, whose term begins 2108
February 9, 2009, and successors, shall have assigned to them, 2109
in addition to all matters that are within the jurisdiction of 2110
the general division of the court of common pleas, all divorce, 2111
dissolution of marriage, legal separation, and annulment cases 2112
coming before the court, and all matters that are within the 2113
jurisdiction of the probate court under Chapter 2101., and other 2114
provisions, of the Revised Code. 2115

(0) In Greene county: 2116

(1) The judge of the court of common pleas whose term 2117
begins on January 1, 1961, and successors, shall have the same 2118
qualifications, exercise the same powers and jurisdiction, and 2119
receive the same compensation as the other judges of the court 2120
of common pleas of Greene county and shall be elected and 2121
designated as the judge of the court of common pleas, division 2122
of domestic relations. The judge shall be assigned all divorce, 2123
dissolution of marriage, legal separation, annulment, uniform 2124
reciprocal support enforcement, and domestic violence cases and 2125
all other cases related to domestic relations, except cases that 2126
for some special reason are assigned to some other judge of the 2127
court of common pleas. 2128

The judge shall be charged with the assignment and 2129
division of the work of the division and with the employment and 2130
supervision of all other personnel of the division. The judge 2131
also shall designate the title, compensation, hours, leaves of 2132
absence, and vacations of the personnel of the division and 2133
shall fix their duties. The duties of the personnel of the 2134
division, in addition to other statutory duties, shall include 2135
the handling, servicing, and investigation of divorce, 2136

dissolution of marriage, legal separation, and annulment cases 2137
and the provision of counseling and conciliation services that 2138
the division considers necessary and makes available to persons 2139
who request the services, whether or not the persons are parties 2140
in an action pending in the division. The compensation for the 2141
personnel shall be paid from the overall court budget and shall 2142
be included in the appropriations for the existing judges of the 2143
general division of the court of common pleas. 2144

(2) The judge of the court of common pleas whose term 2145
begins on January 1, 1995, and successors, shall have the same 2146
qualifications, exercise the same powers and jurisdiction, and 2147
receive the same compensation as the other judges of the court 2148
of common pleas of Greene county, shall be elected and 2149
designated as judge of the court of common pleas, juvenile 2150
division, and, on or after January 1, 1995, shall be the 2151
juvenile judge as provided in Chapters 2151. and 2152. of the 2152
Revised Code with the powers and jurisdiction conferred by those 2153
chapters. The judge of the court of common pleas, juvenile 2154
division, shall be the administrator of the juvenile division 2155
and its subdivisions and departments. The judge shall have 2156
charge of the employment, assignment, and supervision of the 2157
personnel of the juvenile division who are engaged in handling, 2158
servicing, or investigating juvenile cases, including any 2159
referees whom the judge considers necessary for the discharge of 2160
the judge's various duties. 2161

The judge also shall designate the title, compensation, 2162
expense allowances, hours, leaves of absence, and vacation of 2163
the personnel of the division and shall fix their duties. The 2164
duties of the personnel, in addition to other statutory duties, 2165
include the handling, servicing, and investigation of juvenile 2166
cases and providing any counseling and conciliation services 2167

that the court makes available to persons, whether or not the 2168
persons are parties to an action pending in the court, who 2169
request the services. 2170

(3) If one of the judges of the court of common pleas, 2171
general division, is sick, absent, or unable to perform that 2172
judge's judicial duties or the volume of cases pending in the 2173
general division necessitates it, the duties of that judge of 2174
the general division shall be performed by the judge of the 2175
division of domestic relations and the judge of the juvenile 2176
division. 2177

(P) In Portage county, the judge of the court of common 2178
pleas, whose term begins January 2, 1987, and successors, shall 2179
have the same qualifications, exercise the same powers and 2180
jurisdiction, and receive the same compensation as the other 2181
judges of the court of common pleas of Portage county and shall 2182
be elected and designated as judge of the court of common pleas, 2183
division of domestic relations. The judge shall be assigned all 2184
divorce, dissolution of marriage, legal separation, and 2185
annulment cases coming before the court, except in cases that 2186
for some special reason are assigned to some other judge of the 2187
court of common pleas. The judge shall be charged with the 2188
assignment and division of the work of the division and with the 2189
employment and supervision of all other personnel of the 2190
domestic relations division. 2191

The judge also shall designate the title, compensation, 2192
expense allowances, hours, leaves of absence, and vacations of 2193
the personnel of the division and shall fix their duties. The 2194
duties of the personnel, in addition to other statutory duties, 2195
shall include the handling, servicing, and investigation of 2196
divorce, dissolution of marriage, legal separation, and 2197

annulment cases and providing any counseling and conciliation 2198
services that the division makes available to persons, whether 2199
or not the persons are parties to an action pending in the 2200
division, who request the services. 2201

(Q) In Clermont county, the judge of the court of common 2202
pleas, whose term begins January 2, 1987, and successors, shall 2203
have the same qualifications, exercise the same powers and 2204
jurisdiction, and receive the same compensation as the other 2205
judges of the court of common pleas of Clermont county and shall 2206
be elected and designated as judge of the court of common pleas, 2207
division of domestic relations. The judge shall be assigned all 2208
divorce, dissolution of marriage, legal separation, and 2209
annulment cases coming before the court, except in cases that 2210
for some special reason are assigned to some other judge of the 2211
court of common pleas. The judge shall be charged with the 2212
assignment and division of the work of the division and with the 2213
employment and supervision of all other personnel of the 2214
domestic relations division. 2215

The judge also shall designate the title, compensation, 2216
expense allowances, hours, leaves of absence, and vacations of 2217
the personnel of the division and shall fix their duties. The 2218
duties of the personnel, in addition to other statutory duties, 2219
shall include the handling, servicing, and investigation of 2220
divorce, dissolution of marriage, legal separation, and 2221
annulment cases and providing any counseling and conciliation 2222
services that the division makes available to persons, whether 2223
or not the persons are parties to an action pending in the 2224
division, who request the services. 2225

(R) In Warren county, the judge of the court of common 2226
pleas, whose term begins January 1, 1987, and successors, shall 2227

have the same qualifications, exercise the same powers and 2228
jurisdiction, and receive the same compensation as the other 2229
judges of the court of common pleas of Warren county and shall 2230
be elected and designated as judge of the court of common pleas, 2231
division of domestic relations. The judge shall be assigned all 2232
divorce, dissolution of marriage, legal separation, and 2233
annulment cases coming before the court, except in cases that 2234
for some special reason are assigned to some other judge of the 2235
court of common pleas. The judge shall be charged with the 2236
assignment and division of the work of the division and with the 2237
employment and supervision of all other personnel of the 2238
domestic relations division. 2239

The judge also shall designate the title, compensation, 2240
expense allowances, hours, leaves of absence, and vacations of 2241
the personnel of the division and shall fix their duties. The 2242
duties of the personnel, in addition to other statutory duties, 2243
shall include the handling, servicing, and investigation of 2244
divorce, dissolution of marriage, legal separation, and 2245
annulment cases and providing any counseling and conciliation 2246
services that the division makes available to persons, whether 2247
or not the persons are parties to an action pending in the 2248
division, who request the services. 2249

(S) In Licking county, the judges of the court of common 2250
pleas, whose terms begin on January 1, 1991, and January 1, 2251
2005, and successors, shall have the same qualifications, 2252
exercise the same powers and jurisdiction, and receive the same 2253
compensation as the other judges of the court of common pleas of 2254
Licking county and shall be elected and designated as judges of 2255
the court of common pleas, division of domestic relations. The 2256
judges shall be assigned all divorce, dissolution of marriage, 2257
legal separation, and annulment cases, all cases arising under 2258

Chapter 3111. of the Revised Code, all proceedings involving 2259
child support, the allocation of parental rights and 2260
responsibilities for the care of children and the designation 2261
for the children of a place of residence and legal custodian, 2262
parenting time, and visitation, and all post-decree proceedings 2263
and matters arising from those cases and proceedings, except in 2264
cases that for some special reason are assigned to another judge 2265
of the court of common pleas. The administrative judge of the 2266
division of domestic relations shall be charged with the 2267
assignment and division of the work of the division and with the 2268
employment and supervision of the personnel of the division. 2269

The administrative judge of the division of domestic 2270
relations shall designate the title, compensation, expense 2271
allowances, hours, leaves of absence, and vacations of the 2272
personnel of the division and shall fix the duties of the 2273
personnel of the division. The duties of the personnel of the 2274
division, in addition to other statutory duties, shall include 2275
the handling, servicing, and investigation of divorce, 2276
dissolution of marriage, legal separation, and annulment cases, 2277
cases arising under Chapter 3111. of the Revised Code, and 2278
proceedings involving child support, the allocation of parental 2279
rights and responsibilities for the care of children and the 2280
designation for the children of a place of residence and legal 2281
custodian, parenting time, and visitation and providing any 2282
counseling and conciliation services that the division makes 2283
available to persons, whether or not the persons are parties to 2284
an action pending in the division, who request the services. 2285

(T) In Allen county, the judge of the court of common 2286
pleas, whose term begins January 1, 1993, and successors, shall 2287
have the same qualifications, exercise the same powers and 2288
jurisdiction, and receive the same compensation as the other 2289

judges of the court of common pleas of Allen county and shall be 2290
elected and designated as judge of the court of common pleas, 2291
division of domestic relations. The judge shall be assigned all 2292
divorce, dissolution of marriage, legal separation, and 2293
annulment cases, all cases arising under Chapter 3111. of the 2294
Revised Code, all proceedings involving child support, the 2295
allocation of parental rights and responsibilities for the care 2296
of children and the designation for the children of a place of 2297
residence and legal custodian, parenting time, and visitation, 2298
and all post-decree proceedings and matters arising from those 2299
cases and proceedings, except in cases that for some special 2300
reason are assigned to another judge of the court of common 2301
pleas. The judge shall be charged with the assignment and 2302
division of the work of the division and with the employment and 2303
supervision of the personnel of the division. 2304

The judge shall designate the title, compensation, expense 2305
allowances, hours, leaves of absence, and vacations of the 2306
personnel of the division and shall fix the duties of the 2307
personnel of the division. The duties of the personnel of the 2308
division, in addition to other statutory duties, shall include 2309
the handling, servicing, and investigation of divorce, 2310
dissolution of marriage, legal separation, and annulment cases, 2311
cases arising under Chapter 3111. of the Revised Code, and 2312
proceedings involving child support, the allocation of parental 2313
rights and responsibilities for the care of children and the 2314
designation for the children of a place of residence and legal 2315
custodian, parenting time, and visitation, and providing any 2316
counseling and conciliation services that the division makes 2317
available to persons, whether or not the persons are parties to 2318
an action pending in the division, who request the services. 2319

(U) In Medina county, the judge of the court of common 2320

pleas whose term begins January 1, 1995, and successors, shall 2321
have the same qualifications, exercise the same powers and 2322
jurisdiction, and receive the same compensation as other judges 2323
of the court of common pleas of Medina county and shall be 2324
elected and designated as judge of the court of common pleas, 2325
division of domestic relations. The judge shall be assigned all 2326
divorce, dissolution of marriage, legal separation, and 2327
annulment cases, all cases arising under Chapter 3111. of the 2328
Revised Code, all proceedings involving child support, the 2329
allocation of parental rights and responsibilities for the care 2330
of children and the designation for the children of a place of 2331
residence and legal custodian, parenting time, and visitation, 2332
and all post-decree proceedings and matters arising from those 2333
cases and proceedings, except in cases that for some special 2334
reason are assigned to another judge of the court of common 2335
pleas. The judge shall be charged with the assignment and 2336
division of the work of the division and with the employment and 2337
supervision of the personnel of the division. 2338

The judge shall designate the title, compensation, expense 2339
allowances, hours, leaves of absence, and vacations of the 2340
personnel of the division and shall fix the duties of the 2341
personnel of the division. The duties of the personnel, in 2342
addition to other statutory duties, include the handling, 2343
servicing, and investigation of divorce, dissolution of 2344
marriage, legal separation, and annulment cases, cases arising 2345
under Chapter 3111. of the Revised Code, and proceedings 2346
involving child support, the allocation of parental rights and 2347
responsibilities for the care of children and the designation 2348
for the children of a place of residence and legal custodian, 2349
parenting time, and visitation, and providing counseling and 2350
conciliation services that the division makes available to 2351

persons, whether or not the persons are parties to an action 2352
pending in the division, who request the services. 2353

(V) In Fairfield county, the judge of the court of common 2354
pleas whose term begins January 2, 1995, and successors, shall 2355
have the same qualifications, exercise the same powers and 2356
jurisdiction, and receive the same compensation as the other 2357
judges of the court of common pleas of Fairfield county and 2358
shall be elected and designated as judge of the court of common 2359
pleas, division of domestic relations. The judge shall be 2360
assigned all divorce, dissolution of marriage, legal separation, 2361
and annulment cases, all cases arising under Chapter 3111. of 2362
the Revised Code, all proceedings involving child support, the 2363
allocation of parental rights and responsibilities for the care 2364
of children and the designation for the children of a place of 2365
residence and legal custodian, parenting time, and visitation, 2366
and all post-decree proceedings and matters arising from those 2367
cases and proceedings, except in cases that for some special 2368
reason are assigned to another judge of the court of common 2369
pleas. The judge also has concurrent jurisdiction with the 2370
probate-juvenile division of the court of common pleas of 2371
Fairfield county with respect to and may hear cases to determine 2372
the custody of a child, as defined in section 2151.011 of the 2373
Revised Code, who is not the ward of another court of this 2374
state, cases that are commenced by a parent, guardian, or 2375
custodian of a child, as defined in section 2151.011 of the 2376
Revised Code, to obtain an order requiring a parent of the child 2377
to pay child support for that child when the request for that 2378
order is not ancillary to an action for divorce, dissolution of 2379
marriage, annulment, or legal separation, a criminal or civil 2380
action involving an allegation of domestic violence, an action 2381
for support under Chapter 3115. of the Revised Code, or an 2382

action that is within the exclusive original jurisdiction of the 2383
probate-juvenile division of the court of common pleas of 2384
Fairfield county and that involves an allegation that the child 2385
is an abused, neglected, or dependent child, and post-decree 2386
proceedings and matters arising from those types of cases. 2387

The judge of the domestic relations division shall be 2388
charged with the assignment and division of the work of the 2389
division and with the employment and supervision of the 2390
personnel of the division. 2391

The judge shall designate the title, compensation, expense 2392
allowances, hours, leaves of absence, and vacations of the 2393
personnel of the division and shall fix the duties of the 2394
personnel of the division. The duties of the personnel of the 2395
division, in addition to other statutory duties, shall include 2396
the handling, servicing, and investigation of divorce, 2397
dissolution of marriage, legal separation, and annulment cases, 2398
cases arising under Chapter 3111. of the Revised Code, and 2399
proceedings involving child support, the allocation of parental 2400
rights and responsibilities for the care of children and the 2401
designation for the children of a place of residence and legal 2402
custodian, parenting time, and visitation, and providing any 2403
counseling and conciliation services that the division makes 2404
available to persons, regardless of whether the persons are 2405
parties to an action pending in the division, who request the 2406
services. When the judge hears a case to determine the custody 2407
of a child, as defined in section 2151.011 of the Revised Code, 2408
who is not the ward of another court of this state or a case 2409
that is commenced by a parent, guardian, or custodian of a 2410
child, as defined in section 2151.011 of the Revised Code, to 2411
obtain an order requiring a parent of the child to pay child 2412
support for that child when the request for that order is not 2413

ancillary to an action for divorce, dissolution of marriage, 2414
annulment, or legal separation, a criminal or civil action 2415
involving an allegation of domestic violence, an action for 2416
support under Chapter 3115. of the Revised Code, or an action 2417
that is within the exclusive original jurisdiction of the 2418
probate-juvenile division of the court of common pleas of 2419
Fairfield county and that involves an allegation that the child 2420
is an abused, neglected, or dependent child, the duties of the 2421
personnel of the domestic relations division also include the 2422
handling, servicing, and investigation of those types of cases. 2423

(W) (1) In Clark county, the judge of the court of common 2424
pleas whose term begins on January 2, 1995, and successors, 2425
shall have the same qualifications, exercise the same powers and 2426
jurisdiction, and receive the same compensation as other judges 2427
of the court of common pleas of Clark county and shall be 2428
elected and designated as judge of the court of common pleas, 2429
domestic relations division. The judge shall have all the powers 2430
relating to juvenile courts, and all cases under Chapters 2151. 2431
and 2152. of the Revised Code and all parentage proceedings 2432
under Chapter 3111. of the Revised Code over which the juvenile 2433
court has jurisdiction shall be assigned to the judge of the 2434
division of domestic relations. All divorce, dissolution of 2435
marriage, legal separation, annulment, uniform reciprocal 2436
support enforcement, and other cases related to domestic 2437
relations shall be assigned to the domestic relations division, 2438
and the presiding judge of the court of common pleas shall 2439
assign the cases to the judge of the domestic relations division 2440
and the judges of the general division. 2441

(2) In addition to the judge's regular duties, the judge 2442
of the division of domestic relations shall serve on the 2443
children services board and the county advisory board. 2444

(3) If the judge of the court of common pleas of Clark county, division of domestic relations, is sick, absent, or unable to perform that judge's judicial duties or if the presiding judge of the court of common pleas of Clark county determines that the volume of cases pending in the division of domestic relations necessitates it, the duties of the judge of the division of domestic relations shall be performed by the judges of the general division or probate division of the court of common pleas of Clark county, as assigned for that purpose by the presiding judge of that court, and the judges so assigned shall act in conjunction with the judge of the division of domestic relations of that court.

(X) In Scioto county, the judge of the court of common pleas whose term begins January 2, 1995, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Scioto county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of marriage, legal separation, and annulment cases, all cases arising under Chapter 3111. of the Revised Code, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, visitation, and all post-decree proceedings and matters arising from those cases and proceedings, except in cases that for some special reason are assigned to another judge of the court of common pleas. The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of the personnel of the division.

The judge shall designate the title, compensation, expense 2476
allowances, hours, leaves of absence, and vacations of the 2477
personnel of the division and shall fix the duties of the 2478
personnel of the division. The duties of the personnel, in 2479
addition to other statutory duties, include the handling, 2480
servicing, and investigation of divorce, dissolution of 2481
marriage, legal separation, and annulment cases, cases arising 2482
under Chapter 3111. of the Revised Code, and proceedings 2483
involving child support, the allocation of parental rights and 2484
responsibilities for the care of children and the designation 2485
for the children of a place of residence and legal custodian, 2486
parenting time, and visitation, and providing counseling and 2487
conciliation services that the division makes available to 2488
persons, whether or not the persons are parties to an action 2489
pending in the division, who request the services. 2490

(Y) In Auglaize county, the judge of the probate and 2491
juvenile divisions of the Auglaize county court of common pleas 2492
also shall be the administrative judge of the domestic relations 2493
division of the court and shall be assigned all divorce, 2494
dissolution of marriage, legal separation, and annulment cases 2495
coming before the court. The judge shall have all powers as 2496
administrator of the domestic relations division and shall have 2497
charge of the personnel engaged in handling, servicing, or 2498
investigating divorce, dissolution of marriage, legal 2499
separation, and annulment cases, including any referees 2500
considered necessary for the discharge of the judge's various 2501
duties. 2502

(Z) (1) In Marion county, the judge of the court of common 2503
pleas whose term begins on February 9, 1999, and the successors 2504
to that judge, shall have the same qualifications, exercise the 2505
same powers and jurisdiction, and receive the same compensation 2506

as the other judges of the court of common pleas of Marion 2507
county and shall be elected and designated as judge of the court 2508
of common pleas, domestic relations-juvenile-probate division. 2509
Except as otherwise specified in this division, that judge, and 2510
the successors to that judge, shall have all the powers relating 2511
to juvenile courts, and all cases under Chapters 2151. and 2152. 2512
of the Revised Code, all cases arising under Chapter 3111. of 2513
the Revised Code, all divorce, dissolution of marriage, legal 2514
separation, and annulment cases, all proceedings involving child 2515
support, the allocation of parental rights and responsibilities 2516
for the care of children and the designation for the children of 2517
a place of residence and legal custodian, parenting time, and 2518
visitation, and all post-decree proceedings and matters arising 2519
from those cases and proceedings shall be assigned to that judge 2520
and the successors to that judge. Except as provided in division 2521
(Z) (2) of this section and notwithstanding any other provision 2522
of any section of the Revised Code, on and after February 9, 2523
2003, the judge of the court of common pleas of Marion county 2524
whose term begins on February 9, 1999, and the successors to 2525
that judge, shall have all the powers relating to the probate 2526
division of the court of common pleas of Marion county in 2527
addition to the powers previously specified in this division, 2528
and shall exercise concurrent jurisdiction with the judge of the 2529
probate division of that court over all matters that are within 2530
the jurisdiction of the probate division of that court under 2531
Chapter 2101., and other provisions, of the Revised Code in 2532
addition to the jurisdiction of the domestic relations-juvenile- 2533
probate division of that court otherwise specified in division 2534
(Z) (1) of this section. 2535

(2) The judge of the domestic relations-juvenile-probate 2536
division of the court of common pleas of Marion county or the 2537

judge of the probate division of the court of common pleas of 2538
Marion county, whichever of those judges is senior in total 2539
length of service on the court of common pleas of Marion county, 2540
regardless of the division or divisions of service, shall serve 2541
as the clerk of the probate division of the court of common 2542
pleas of Marion county. 2543

(3) On and after February 9, 2003, all references in law 2544
to "the probate court," "the probate judge," "the juvenile 2545
court," or "the judge of the juvenile court" shall be construed, 2546
with respect to Marion county, as being references to both "the 2547
probate division" and "the domestic relations-juvenile-probate 2548
division" and as being references to both "the judge of the 2549
probate division" and "the judge of the domestic relations- 2550
juvenile-probate division." On and after February 9, 2003, all 2551
references in law to "the clerk of the probate court" shall be 2552
construed, with respect to Marion county, as being references to 2553
the judge who is serving pursuant to division (Z)(2) of this 2554
section as the clerk of the probate division of the court of 2555
common pleas of Marion county. 2556

(AA) In Muskingum county, the judge of the court of common 2557
pleas whose term begins on January 2, 2003, and successors, 2558
shall have the same qualifications, exercise the same powers and 2559
jurisdiction, and receive the same compensation as the other 2560
judges of the court of common pleas of Muskingum county and 2561
shall be elected and designated as the judge of the court of 2562
common pleas, division of domestic relations. The judge shall be 2563
assigned all divorce, dissolution of marriage, legal separation, 2564
and annulment cases, all cases arising under Chapter 3111. of 2565
the Revised Code, all proceedings involving child support, the 2566
allocation of parental rights and responsibilities for the care 2567
of children and the designation for the children of a place of 2568

residence and legal custodian, parenting time, and visitation, 2569
and all post-decree proceedings and matters arising from those 2570
cases and proceedings, except in cases that for some special 2571
reason are assigned to another judge of the court of common 2572
pleas. The judge shall be charged with the assignment and 2573
division of the work of the division and with the employment and 2574
supervision of the personnel of the division. 2575

The judge shall designate the title, compensation, expense 2576
allowances, hours, leaves of absence, and vacations of the 2577
personnel of the division and shall fix the duties of the 2578
personnel of the division. The duties of the personnel of the 2579
division, in addition to other statutory duties, shall include 2580
the handling, servicing, and investigation of divorce, 2581
dissolution of marriage, legal separation, and annulment cases, 2582
cases arising under Chapter 3111. of the Revised Code, and 2583
proceedings involving child support, the allocation of parental 2584
rights and responsibilities for the care of children and the 2585
designation for the children of a place of residence and legal 2586
custodian, parenting time, and visitation and providing any 2587
counseling and conciliation services that the division makes 2588
available to persons, whether or not the persons are parties to 2589
an action pending in the division, who request the services. 2590

(BB) In Henry county, the judge of the court of common 2591
pleas whose term begins on January 1, 2005, and successors, 2592
shall have the same qualifications, exercise the same powers and 2593
jurisdiction, and receive the same compensation as the other 2594
judge of the court of common pleas of Henry county and shall be 2595
elected and designated as the judge of the court of common 2596
pleas, division of domestic relations. The judge shall have all 2597
of the powers relating to juvenile courts, and all cases under 2598
Chapter 2151. or 2152. of the Revised Code, all parentage 2599

proceedings arising under Chapter 3111. of the Revised Code over 2600
which the juvenile court has jurisdiction, all divorce, 2601
dissolution of marriage, legal separation, and annulment cases, 2602
all proceedings involving child support, the allocation of 2603
parental rights and responsibilities for the care of children 2604
and the designation for the children of a place of residence and 2605
legal custodian, parenting time, and visitation, and all post- 2606
decree proceedings and matters arising from those cases and 2607
proceedings shall be assigned to that judge, except in cases 2608
that for some special reason are assigned to the other judge of 2609
the court of common pleas. 2610

(CC) (1) In Logan county, the judge of the court of common 2611
pleas whose term begins January 2, 2005, and the successors to 2612
that judge, shall have the same qualifications, exercise the 2613
same powers and jurisdiction, and receive the same compensation 2614
as the other judges of the court of common pleas of Logan county 2615
and shall be elected and designated as judge of the court of 2616
common pleas, family court division. Except as otherwise 2617
specified in this division, that judge, and the successors to 2618
that judge, shall have all the powers relating to juvenile 2619
courts, and all cases under Chapters 2151. and 2152. of the 2620
Revised Code, all cases arising under Chapter 3111. of the 2621
Revised Code, all divorce, dissolution of marriage, legal 2622
separation, and annulment cases, all proceedings involving child 2623
support, the allocation of parental rights and responsibilities 2624
for the care of children and designation for the children of a 2625
place of residence and legal custodian, parenting time, and 2626
visitation, and all post-decree proceedings and matters arising 2627
from those cases and proceedings shall be assigned to that judge 2628
and the successors to that judge. Notwithstanding any other 2629
provision of any section of the Revised Code, on and after 2630

January 2, 2005, the judge of the court of common pleas of Logan 2631
county whose term begins on January 2, 2005, and the successors 2632
to that judge, shall have all the powers relating to the probate 2633
division of the court of common pleas of Logan county in 2634
addition to the powers previously specified in this division and 2635
shall exercise concurrent jurisdiction with the judge of the 2636
probate division of that court over all matters that are within 2637
the jurisdiction of the probate division of that court under 2638
Chapter 2101., and other provisions, of the Revised Code in 2639
addition to the jurisdiction of the family court division of 2640
that court otherwise specified in division (CC) (1) of this 2641
section. 2642

(2) The judge of the family court division of the court of 2643
common pleas of Logan county or the probate judge of the court 2644
of common pleas of Logan county who is elected as the 2645
administrative judge of the family court division of the court 2646
of common pleas of Logan county pursuant to Rule 4 of the Rules 2647
of Superintendence shall be the clerk of the family court 2648
division of the court of common pleas of Logan county. 2649

(3) On and after April 5, 2019, all references in law to 2650
"the probate court," "the probate judge," "the juvenile court," 2651
or "the judge of the juvenile court" shall be construed, with 2652
respect to Logan county, as being references to both "the 2653
probate division" and the "family court division" and as being 2654
references to both "the judge of the probate division" and the 2655
"judge of the family court division." On and after April 5, 2656
2019, all references in law to "the clerk of the probate court" 2657
shall be construed, with respect to Logan county, as being 2658
references to the judge who is serving pursuant to division (CC) 2659
(2) of this section as the clerk of the family court division of 2660
the court of common pleas of Logan county. 2661

(DD) (1) In Champaign county, the judge of the court of 2662
common pleas whose term begins February 9, 2003, and the judge 2663
of the court of common pleas whose term begins February 10, 2664
2009, and the successors to those judges, shall have the same 2665
qualifications, exercise the same powers and jurisdiction, and 2666
receive the same compensation as the other judges of the court 2667
of common pleas of Champaign county and shall be elected and 2668
designated as judges of the court of common pleas, domestic 2669
relations-juvenile-probate division. Except as otherwise 2670
specified in this division, those judges, and the successors to 2671
those judges, shall have all the powers relating to juvenile 2672
courts, and all cases under Chapters 2151. and 2152. of the 2673
Revised Code, all cases arising under Chapter 3111. of the 2674
Revised Code, all divorce, dissolution of marriage, legal 2675
separation, and annulment cases, all proceedings involving child 2676
support, the allocation of parental rights and responsibilities 2677
for the care of children and the designation for the children of 2678
a place of residence and legal custodian, parenting time, and 2679
visitation, and all post-decree proceedings and matters arising 2680
from those cases and proceedings shall be assigned to those 2681
judges and the successors to those judges. Notwithstanding any 2682
other provision of any section of the Revised Code, on and after 2683
February 9, 2009, the judges designated by this division as 2684
judges of the court of common pleas of Champaign county, 2685
domestic relations-juvenile-probate division, and the successors 2686
to those judges, shall have all the powers relating to probate 2687
courts in addition to the powers previously specified in this 2688
division and shall exercise jurisdiction over all matters that 2689
are within the jurisdiction of probate courts under Chapter 2690
2101., and other provisions, of the Revised Code in addition to 2691
the jurisdiction of the domestic relations-juvenile-probate 2692
division otherwise specified in division (DD) (1) of this 2693

section. 2694

(2) On and after February 9, 2009, all references in law 2695
to "the probate court," "the probate judge," "the juvenile 2696
court," or "the judge of the juvenile court" shall be construed 2697
with respect to Champaign county as being references to the 2698
"domestic relations-juvenile-probate division" and as being 2699
references to the "judge of the domestic relations-juvenile- 2700
probate division." On and after February 9, 2009, all references 2701
in law to "the clerk of the probate court" shall be construed 2702
with respect to Champaign county as being references to the 2703
judge who is serving pursuant to Rule 4 of the Rules of 2704
Superintendence for the Courts of Ohio as the administrative 2705
judge of the court of common pleas, domestic relations-juvenile- 2706
probate division. 2707

(EE) In Delaware county, the judge of the court of common 2708
pleas whose term begins on January 1, 2017, and successors, 2709
shall have the same qualifications, exercise the same powers and 2710
jurisdiction, and receive the same compensation as the other 2711
judges of the court of common pleas of Delaware county and shall 2712
be elected and designated as the judge of the court of common 2713
pleas, division of domestic relations. Divorce, dissolution of 2714
marriage, legal separation, and annulment cases, including any 2715
post-decree proceedings, and cases involving questions of 2716
paternity, custody, visitation, child support, and the 2717
allocation of parental rights and responsibilities for the care 2718
of children, regardless of whether those matters arise in post- 2719
decree proceedings or involve children born between unmarried 2720
persons, shall be assigned to that judge, except cases that for 2721
some special reason are assigned to another judge of the court 2722
of common pleas. 2723

(FF) In Hardin county: 2724

(1) The judge of the court of common pleas whose term 2725
begins on January 1, 2023, and successors, shall have the same 2726
qualifications, exercise the same powers and jurisdiction, and 2727
receive the same compensation as the other judge of the court of 2728
common pleas of Hardin county and shall be elected and 2729
designated as the judge of the court of common pleas, division 2730
of domestic relations. The judge shall have all of the powers 2731
relating to juvenile courts, and all cases under Chapter 2151. 2732
or 2152. of the Revised Code, all parentage proceedings arising 2733
under Chapter 3111. of the Revised Code over which the juvenile 2734
court has jurisdiction, all divorce, dissolution of marriage, 2735
legal separation, and annulment cases, civil protection orders 2736
issued under sections 2903.214 and 3113.31 of the Revised Code, 2737
all proceedings involving child support, the allocation of 2738
parental rights and responsibilities for the care of children 2739
and the designation for the children of a place of residence and 2740
legal custodian, parenting time, and visitation, and all post- 2741
decree proceedings and matters arising from those cases and 2742
proceedings shall be assigned to that judge, except in cases 2743
that for some special reason are assigned to the other judge of 2744
the court of common pleas. 2745

(2) The judge of the court of common pleas, general 2746
division, whose term begins on February 9, 2027, and successors, 2747
shall have assigned to the judge, in addition to all matters 2748
that are within the jurisdiction of the general division of the 2749
court of common pleas, all matters that are within the 2750
jurisdiction of the probate court under Chapter 2101., and other 2751
provisions, of the Revised Code. 2752

(GG) If a judge of the court of common pleas, division of 2753

domestic relations, or juvenile judge, of any of the counties 2754
mentioned in this section is sick, absent, or unable to perform 2755
that judge's judicial duties or the volume of cases pending in 2756
the judge's division necessitates it, the duties of that judge 2757
shall be performed by another judge of the court of common pleas 2758
of that county, assigned for that purpose by the presiding judge 2759
of the court of common pleas of that county to act in place of 2760
or in conjunction with that judge, as the case may require. 2761

Sec. 2743.03. (A) (1) There is hereby created a court of 2762
claims. ~~Except as provided under section 107.43 of the Revised~~ 2763
~~Code, the~~ The court of claims is a court of record and has 2764
exclusive, original jurisdiction of all civil actions against 2765
the state permitted by the waiver of immunity contained in 2766
section 2743.02 of the Revised Code and exclusive jurisdiction 2767
of the causes of action of all parties in civil actions that are 2768
removed to the court of claims. The court shall have full equity 2769
powers in all actions within its jurisdiction and may entertain 2770
and determine all counterclaims, cross-claims, and third-party 2771
claims. 2772

(2) If the claimant in a civil action as described in 2773
division (A) (1) of this section also files a claim for a 2774
declaratory judgment, injunctive relief, or other equitable 2775
relief against the state that arises out of the same 2776
circumstances that gave rise to the civil action described in 2777
division (A) (1) of this section, the court of claims has 2778
exclusive, original jurisdiction to hear and determine that 2779
claim in that civil action. This division does not affect, and 2780
shall not be construed as affecting, the original jurisdiction 2781
of another court of this state to hear and determine a civil 2782
action in which the sole relief that the claimant seeks against 2783
the state is a declaratory judgment, injunctive relief, or other 2784

equitable relief. 2785

(3) In addition to its exclusive, original jurisdiction as 2786
conferred by divisions (A) (1) and (2) of this section, the court 2787
of claims has exclusive, original jurisdiction as follows: 2788

(a) As described in division (F) of section 2743.02, 2789
division (B) of section 3335.03, and division (C) of section 2790
5903.02 of the Revised Code; 2791

(b) Under section 2743.75 of the Revised Code to hear 2792
complaints alleging a denial of access to public records in 2793
violation of division (B) of section 149.43 of the Revised Code, 2794
regardless of whether the public office or person responsible 2795
for public records is an office or employee of the state or of a 2796
political subdivision. 2797

(B) The court of claims shall sit in Franklin county, its 2798
hearings shall be public, and it shall consist of incumbent 2799
justices or judges of the supreme court, courts of appeals, or 2800
courts of common pleas, or retired justices or judges eligible 2801
for active duty pursuant to division (C) of Section 6 of Article 2802
IV, Ohio Constitution, sitting by temporary assignment of the 2803
chief justice of the supreme court. The chief justice may direct 2804
the court to sit in any county for cases on removal upon a 2805
showing of substantial hardship and whenever justice dictates. 2806

(C) (1) A civil action against the state shall be heard and 2807
determined by a single judge. Upon application by the claimant 2808
or the state, the chief justice of the supreme court may assign 2809
a panel of three judges to hear and determine a civil action 2810
presenting novel or complex issues of law or fact. Concurrence 2811
of two members of the panel is necessary for any judgment or 2812
order. 2813

(2) Whenever the chief justice of the supreme court 2814
believes an equitable resolution of a case will be expedited, 2815
the chief justice may appoint magistrates in accordance with 2816
Civil Rule 53 to hear the case. 2817

(3) When any dispute under division (B) of section 153.12 2818
of the Revised Code is brought to the court of claims, upon 2819
request of either party to the dispute, the chief justice of the 2820
supreme court shall appoint a single referee or a panel of three 2821
referees. The referees need not be attorneys, but shall be 2822
persons knowledgeable about construction contract law, a member 2823
of the construction industry panel of the American arbitration 2824
association, or an individual or individuals deemed qualified by 2825
the chief justice to serve. No person shall serve as a referee 2826
if that person has been employed by an affected state agency or 2827
a contractor or subcontractor involved in the dispute at any 2828
time in the preceding five years. Proceedings governing referees 2829
shall be in accordance with Civil Rule 53, except as modified by 2830
this division. The referee or panel of referees shall submit its 2831
report, which shall include a recommendation and finding of 2832
fact, to the judge assigned to the case by the chief justice, 2833
within thirty days of the conclusion of the hearings. Referees 2834
appointed pursuant to this division shall be compensated on a 2835
per diem basis at the same rate as is paid to judges of the 2836
court and also shall be paid their expenses. If a single referee 2837
is appointed or a panel of three referees is appointed, then, 2838
with respect to one referee of the panel, the compensation and 2839
expenses of the referee shall not be taxed as part of the costs 2840
in the case but shall be included in the budget of the court. If 2841
a panel of three referees is appointed, the compensation and 2842
expenses of the two remaining referees shall be taxed as costs 2843
of the case. 2844

All costs of a case shall be apportioned among the 2845
parties. The court may not require that any party deposit with 2846
the court cash, bonds, or other security in excess of two 2847
hundred dollars to guarantee payment of costs without the prior 2848
approval in each case of the chief justice. 2849

(4) An appeal from a decision of the attorney general 2850
pursuant to sections 2743.51 to 2743.72 of the Revised Code 2851
shall be heard and determined by the court of claims. 2852

(D) The Rules of Civil Procedure shall govern practice and 2853
procedure in all actions in the court of claims, except insofar 2854
as inconsistent with this chapter. The supreme court may 2855
promulgate rules governing practice and procedure in actions in 2856
the court as provided in Section 5 of Article IV, Ohio 2857
Constitution. 2858

(E) (1) A party who files a counterclaim against the state 2859
or makes the state a third-party defendant in an action 2860
commenced in any court, other than the court of claims, shall 2861
file a petition for removal in the court of claims. The petition 2862
shall state the basis for removal, be accompanied by a copy of 2863
all process, pleadings, and other papers served upon the 2864
petitioner, and shall be signed in accordance with Civil Rule 2865
11. A petition for removal based on a counterclaim shall be 2866
filed within twenty-eight days after service of the counterclaim 2867
of the petitioner. A petition for removal based on third-party 2868
practice shall be filed within twenty-eight days after the 2869
filing of the third-party complaint of the petitioner. 2870

(2) Within seven days after filing a petition for removal, 2871
the petitioner shall give written notice to the parties, and 2872
shall file a copy of the petition with the clerk of the court in 2873
which the action was brought originally. The filing effects the 2874

removal of the action to the court of claims, and the clerk of 2875
the court where the action was brought shall forward all papers 2876
in the case to the court of claims. The court of claims shall 2877
adjudicate all civil actions removed. The court may remand a 2878
civil action to the court in which it originated upon a finding 2879
that the removal petition does not justify removal, or upon a 2880
finding that the state is no longer a party. 2881

(3) Bonds, undertakings, or security and injunctions, 2882
attachments, sequestrations, or other orders issued prior to 2883
removal remain in effect until dissolved or modified by the 2884
court of claims. 2885

Sec. 3794.09. Enforcement; Penalties. 2886

(A) Upon the receipt of a first report that a proprietor 2887
of a public place or place of employment or an individual has 2888
violated any provision of this chapter, the department of health 2889
or its designee shall investigate the report and, if it 2890
concludes that there was a violation, issue a warning letter to 2891
the proprietor or individual. 2892

(B) Upon a report of a second or subsequent violation of 2893
any provision of this chapter by a proprietor of a public place 2894
or place of employment or an individual, the department of 2895
health or its designee shall investigate the report. If the 2896
director of health or director's designee concludes, based on 2897
all of the information before ~~him or her~~ the director or the 2898
director's designee, that there was a violation, ~~he or she~~ the 2899
director or the director's designee shall impose a civil fine 2900
upon the proprietor or individual in accordance with the 2901
schedule of fines required to be promulgated under section 2902
3794.07 of ~~this chapter~~ the Revised Code. 2903

(C) Any proprietor or individual against whom a finding of a violation is made under this chapter may appeal the finding ~~to the Franklin County Court of Common Pleas. Such appeal shall be governed by the provisions of~~ in accordance with section 119.12 of the Revised Code.

(D) The director of health may institute an action in the court of common pleas seeking an order in equity against a proprietor or individual that has repeatedly violated the provisions of this chapter or fails to comply with its provisions.

Sec. 3901.321. (A) For the purposes of this section:

(1) "Acquiring party" means any person by whom or on whose behalf a merger or other acquisition of control is to be effected.

(2) "Domestic insurer" includes any person controlling a domestic insurer unless the person, as determined by the superintendent of insurance, is either directly or through its affiliates primarily engaged in business other than the business of insurance.

(3) "Person" does not include any securities broker holding, in the usual and customary broker's function, less than twenty per cent of the voting securities of an insurance company or of any person that controls an insurance company.

(B)(1) Subject to compliance with division (B)(2) of this section, no person other than the issuer shall do any of the following if, as a result, the person would, directly or indirectly, including by means of conversion or the exercise of any right to acquire, be in control of a domestic insurer:

(a) Make a tender offer for any voting security of a

domestic insurer;	2933
(b) Make a request or invitation for tenders of any voting security of a domestic insurer;	2934 2935
(c) Enter into any agreement to exchange securities of a domestic insurer;	2936 2937
(d) Seek to acquire or acquire, in the open market or otherwise, any voting security of a domestic insurer;	2938 2939
(e) Enter into an agreement to merge with, or otherwise to acquire control of, a domestic insurer.	2940 2941
(2) (a) No person shall engage in any transaction described in division (B) (1) of this section, unless all of the following conditions are met:	2942 2943 2944
(i) The person has filed with the superintendent of insurance a statement containing the information required by division (C) of this section;	2945 2946 2947
(ii) The person has sent the statement to the domestic insurer;	2948 2949
(iii) The offer, request, invitation, agreement, or acquisition has been approved by the superintendent in the manner provided in division (F) of this section.	2950 2951 2952
(b) The requirements of division (B) (2) (a) of this section shall be met at the time any offer, request, or invitation is made, or any agreement is entered into, or prior to the acquisition of the securities if no offer or agreement is involved.	2953 2954 2955 2956 2957
(3) Any controlling person of a domestic insurer seeking to divest its controlling interest in the domestic insurer shall	2958 2959

file a confidential notice of its proposed divestiture with the 2960
superintendent at least thirty days prior to the cessation of 2961
control, and provide a copy of the confidential notice to the 2962
insurer. The superintendent may require the person seeking to 2963
divest the controlling interest to file for and obtain approval 2964
of the transaction. The information shall remain confidential 2965
until the conclusion of the transaction unless the 2966
superintendent, in the superintendent's discretion, determines 2967
that the confidential treatment will interfere with enforcement 2968
of this section. If the statement required by division (B) (2) of 2969
this section is otherwise filed with the superintendent in 2970
relation to all parties that acquire a controlling interest as a 2971
result of the divestiture, this division shall not apply. 2972

(C) The statement required by division (B) (2) of this 2973
section shall be made under oath or affirmation, and shall 2974
contain all of the following information: 2975

(1) The name and address of each acquiring party; 2976

(2) If the acquiring party is an individual, the 2977
individual's principal occupation and all offices and positions 2978
held during the past five years, and any conviction of crimes 2979
other than minor traffic violations during the past ten years; 2980

(3) If the acquiring party is not an individual, a report 2981
of the nature of its business operations during the past five 2982
years or for such lesser period as the acquiring party and any 2983
of its predecessors shall have been in existence; an informative 2984
description of the business intended to be done by the acquiring 2985
party and the acquiring party's subsidiaries; and a list of all 2986
individuals who are or who have been selected to become 2987
directors or executive officers of the acquiring party, who 2988
perform or will perform functions appropriate to such positions. 2989

The list shall include for each individual the information 2990
required by division (C) (2) of this section. 2991

(4) The source, nature, and amount of the consideration 2992
used or to be used in effecting the merger or other acquisition 2993
of control, a description of any transaction in which funds were 2994
or are to be obtained for any such purpose, including any pledge 2995
of the domestic insurer's stock, or the stock of any of its 2996
subsidiaries or controlling affiliates, and the identity of 2997
persons furnishing such consideration; 2998

(5) Fully audited financial information as to the earnings 2999
and financial condition of each acquiring party for its 3000
preceding five fiscal years, or for such lesser period as the 3001
acquiring party and any of its predecessors shall have been in 3002
existence, and similar unaudited information as of a date not 3003
earlier than ninety days prior to the filing of the statement; 3004

(6) Any plans or proposals which each acquiring party may 3005
have to liquidate such domestic insurer, to sell its assets or 3006
merge or consolidate it with any person, or to make any other 3007
material change in its business or corporate structure or 3008
management; 3009

(7) The number of shares of any security of such issuer or 3010
such controlling person that each acquiring party proposes to 3011
acquire, and the terms of the offer, request, invitation, 3012
agreement, or acquisition, and a statement as to the method by 3013
which the fairness of the proposal was determined; 3014

(8) The amount of each class of any security of such 3015
issuer or such controlling person which is beneficially owned or 3016
concerning which there is a right to acquire beneficial 3017
ownership by each acquiring party; 3018

(9) A full description of any contracts, arrangements, or 3019
understandings with respect to any security of such issuer or 3020
such controlling person in which any acquiring party is 3021
involved, including but not limited to transfer of any of the 3022
securities, joint ventures, loan or option arrangements, puts or 3023
calls, guarantees of loans, guarantees against loss or 3024
guarantees of profits, division of losses or profits, or the 3025
giving or withholding of proxies. The description shall identify 3026
the persons with whom such contracts, arrangements, or 3027
understandings have been made. 3028

(10) A description of the purchase of any security of such 3029
issuer or such controlling person during the year preceding the 3030
filing of the statement, by any acquiring party, including the 3031
dates of purchase, names of the purchasers, and consideration 3032
paid or agreed to be paid therefor; 3033

(11) A description of any recommendations to purchase any 3034
security of such issuer or such controlling person made during 3035
the year preceding the filing of the statement, by any acquiring 3036
party, or by anyone based upon interviews or at the suggestion 3037
of the acquiring party; 3038

(12) Copies of all tender offers for, requests, or 3039
invitations for tenders of, exchange offers for, and agreements 3040
to acquire or exchange any securities of such issuer or such 3041
controlling person, and, if distributed, of additional 3042
solicitation material relating thereto; 3043

(13) The terms of any agreement, contract, or 3044
understanding made with or proposed to be made with any broker 3045
or dealer as to solicitation of securities of such issuer or 3046
such controlling person for tender, and the amount of any fees, 3047
commissions, or other compensation to be paid to brokers or 3048

dealers with regard thereto; 3049

(14) With respect to proposed affiliations between 3050
depository institutions or any affiliate thereof, within the 3051
meaning of Title I, section 104(c) of the "Gramm-Leach-Bliley 3052
Act," Pub. L. No. 106-102, 113 Stat. 1338 (1999), and a domestic 3053
insurer, the proposed effective date of the acquisition or 3054
change of control; 3055

(15) An agreement by the person required to file the 3056
statement required by division (B) of this section that the 3057
person will provide the annual registration required by division 3058
(K) of section 3901.33 of the Revised Code for so long as the 3059
person has control of the domestic insurer; 3060

(16) An acknowledgment by the person required to file the 3061
statement required by division (B) of this section that the 3062
person and all subsidiaries within the person's control in the 3063
insurance holding company system will provide information to the 3064
superintendent upon request as necessary to evaluate enterprise 3065
risk to the insurer; 3066

(17) Such additional information as the superintendent may 3067
by rule prescribe as necessary or appropriate for the protection 3068
of policyholders of the domestic insurer or in the public 3069
interest. 3070

(D) (1) If the person required to file the statement 3071
required by division (B) (2) of this section is a partnership, 3072
limited partnership, syndicate, or other group, the 3073
superintendent may require that the information required by 3074
division (C) of this section be furnished with respect to each 3075
partner of such partnership or limited partnership, each member 3076
of such syndicate or group, and each person that controls such 3077

partner or member. If any such partner, member, or person is a 3078
corporation, or the person required to file the statement is a 3079
corporation, the superintendent may require that the information 3080
required by division (C) of this section be furnished with 3081
respect to the corporation, each officer and director of the 3082
corporation, and each person that is directly or indirectly the 3083
beneficial owner of more than ten per cent of the outstanding 3084
voting securities of the corporation. 3085

(2) If any material change occurs in the facts set forth 3086
in the statement required by division (B) (2) of this section, an 3087
amendment setting forth such change, together with copies of all 3088
documents and other material relevant to the change, shall be 3089
filed with the superintendent by the person subject to division 3090
(B) (2) of this section and sent to the domestic insurer within 3091
two business days after such person learns of the occurrence of 3092
the material change. 3093

(E) If any offer, request, invitation, agreement, or 3094
acquisition described in division (B) (1) of this section is 3095
proposed to be made by means of a registration statement under 3096
the "Securities Act of 1933," 48 Stat. 74, 15 U.S.C.A. 78a, or 3097
in circumstances requiring the disclosure of similar information 3098
under the "Securities Exchange Act of 1934," 48 Stat. 881, 15 3099
U.S.C.A. 78a, or under a state law requiring similar 3100
registration or disclosure, the person required to file the 3101
statement required by division (B) (2) of this section may use 3102
such documents in furnishing the information required by that 3103
statement. 3104

(F) (1) The superintendent shall approve any merger or 3105
other acquisition of control described in division (B) (1) of 3106
this section unless, after a public hearing, the superintendent 3107

finds that any of the following apply: 3108

(a) After the change of control, the domestic insurer 3109
would not be able to satisfy the requirements for the issuance 3110
of a license to write the line or lines of insurance for which 3111
it is presently licensed; 3112

(b) The effect of the merger or other acquisition of 3113
control would be substantially to lessen competition in 3114
insurance in this state or tend to create a monopoly; 3115

(c) The financial condition of any acquiring party is such 3116
as might jeopardize the financial stability of the domestic 3117
insurer, or prejudice the interests of its policyholders; 3118

(d) The plans or proposals that the acquiring party has to 3119
liquidate the domestic insurer, sell its assets, or consolidate 3120
or merge it with any person, or to make any other material 3121
change in its business or corporate structure or management, are 3122
unfair and unreasonable to policyholders of the domestic insurer 3123
and not in the public interest; 3124

(e) The competence, experience, and integrity of those 3125
persons that would control the operation of the domestic insurer 3126
are such that it would not be in the interest of policyholders 3127
of the domestic insurer and of the public to permit the merger 3128
or other acquisition of control; 3129

(f) The acquisition is likely to be hazardous or 3130
prejudicial to the insurance-buying public. 3131

(2) (a) Chapter 119. of the Revised Code, except for 3132
section 119.09 of the Revised Code, applies to any hearing held 3133
under division (F) (1) of this section, including the notice of 3134
the hearing, the conduct of the hearing, the orders issued 3135
pursuant to it, the review of the orders, and all other matters 3136

relating to the holding of the hearing, but only to the extent 3137
that Chapter 119. of the Revised Code is not inconsistent or in 3138
conflict with this section. 3139

(b) The notice of a hearing required under this division 3140
shall be transmitted by personal service, certified mail, e- 3141
mail, or any other method designed to ensure and confirm receipt 3142
of the notice, to the persons and addresses designated to 3143
receive notices and correspondence in the information statement 3144
filed under division (B) (2) of this section. Confirmation of 3145
receipt of the notice, including electronic "Read Receipt" 3146
confirmation, shall constitute evidence of compliance with the 3147
requirement of this section. The notice of hearing shall include 3148
the reasons for the proposed action and a statement informing 3149
the acquiring party that the party is entitled to a hearing. The 3150
notice also shall inform the acquiring party that at the hearing 3151
the acquiring party may appear in person, by attorney, or by 3152
such other representative as is permitted to practice before the 3153
superintendent, or that the acquiring party may present its 3154
position, arguments, or contentions in writing, and that at the 3155
hearing the acquiring party may present evidence and examine 3156
witnesses appearing for and against the acquiring party. A copy 3157
of the notice also shall be transmitted to attorneys or other 3158
representatives of record representing the acquiring party. 3159

(c) The hearing shall be held at the offices of the 3160
superintendent within ten calendar days, but not earlier than 3161
seven calendar days, of the date of transmission of the notice 3162
of hearing by any means, unless it is postponed or continued; 3163
but in no event shall the hearing be held unless notice is 3164
received at least three days prior to the hearing. The 3165
superintendent may postpone or continue the hearing upon receipt 3166
of a written request by an acquiring party, or upon the 3167

superintendent's motion, provided, however, a hearing in 3168
connection with a proposed change of control involving a 3169
depository institution or any affiliate thereof, within the 3170
meaning of Title I, section 104(c) of the "Gramm-Leach-Bliley 3171
Act," Pub. L. No. 106-102, 113 Stat. 1338 (1999), and a domestic 3172
insurer, may be postponed or continued only upon the request of 3173
an acquiring party, or upon the superintendent's motion when the 3174
acquiring party agrees in writing to extend the sixty-day period 3175
provided for in section 104(c) of the "Gramm-Leach-Bliley Act," 3176
by a number of days equal to the number of days of such 3177
postponement or continuance. 3178

(d) For the purpose of conducting any hearing held under 3179
this section, the superintendent may require the attendance of 3180
such witnesses and the production of such books, records, and 3181
papers as the superintendent desires, and may take the 3182
depositions of witnesses residing within or without the state in 3183
the same manner as is prescribed by law for the taking of 3184
depositions in civil actions in the court of common pleas, and 3185
for that purpose the superintendent may, and upon the request of 3186
an acquiring party shall, issue a subpoena for any witnesses or 3187
a subpoena duces tecum to compel the production of any books, 3188
records, or papers, directed to the sheriff of the county where 3189
such witness resides or is found, which shall be served and 3190
returned in the same manner as a subpoena in a criminal case is 3191
served and returned. The fees of the sheriff shall be the same 3192
as that allowed in the court of common pleas in criminal cases. 3193
Witnesses shall be paid the fees and mileage provided for under 3194
section 119.094 of the Revised Code. Fees and mileage shall be 3195
paid from the fund in the state treasury for the use of the 3196
superintendent in the same manner as other expenses of the 3197
superintendent are paid. In any case of disobedience or neglect 3198

of any subpoena served on any person or the refusal of any 3199
witness to testify in any matter regarding which the witness may 3200
lawfully be interrogated, the court of common pleas of any 3201
county where such disobedience, neglect, or refusal occurs or 3202
any judge thereof, on application by the superintendent, shall 3203
compel obedience by attachment proceedings for contempt, as in 3204
the case of disobedience of the requirements of a subpoena 3205
issued from the court or a refusal to testify therein. 3206

In any hearing held under this section, a record of the 3207
testimony, as provided by stenographic means or by use of audio 3208
electronic recording devices, as determined by the 3209
superintendent, and other evidence submitted shall be taken at 3210
the expense of the superintendent. The record shall include all 3211
of the testimony and other evidence, and rulings on the 3212
admissibility thereof, presented at the hearing. 3213

The superintendent shall pass upon the admissibility of 3214
evidence, but a party to the proceedings may at that time object 3215
to the rulings of the superintendent, and if the superintendent 3216
refuses to admit evidence, the party offering the evidence shall 3217
proffer the evidence. The proffer shall be made a part of the 3218
record of the hearing. 3219

In any hearing held under this section, the superintendent 3220
may call any person to testify under oath as upon cross- 3221
examination. The superintendent, or any one delegated by the 3222
superintendent to conduct a hearing, may administer oaths or 3223
affirmations. 3224

In any hearing under this section, the superintendent may 3225
appoint a hearing officer to conduct the hearing; the hearing 3226
officer has the same powers and authority in conducting the 3227
hearing as is granted to the superintendent. The hearing officer 3228

shall have been admitted to the practice of law in the state and 3229
be possessed of any additional qualifications as the 3230
superintendent requires. The hearing officer shall submit to the 3231
superintendent a written report setting forth the hearing 3232
officer's finding of fact and conclusions of law and a 3233
recommendation of the action to be taken by the superintendent. 3234
A copy of the written report and recommendation shall, within 3235
seven days of the date of filing thereof, be served upon the 3236
acquiring party or the acquiring party's attorney or other 3237
representative of record, by personal service, certified mail, 3238
electronic mail, or any other method designed to ensure and 3239
confirm receipt of the report. The acquiring party may, within 3240
three days of receipt of the copy of the written report and 3241
recommendation, file with the superintendent written objections 3242
to the report and recommendation, which objections the 3243
superintendent shall consider before approving, modifying, or 3244
disapproving the recommendation. The superintendent may grant 3245
extensions of time to the acquiring party within which to file 3246
such objections. No recommendation of the hearing officer shall 3247
be approved, modified, or disapproved by the superintendent 3248
until after three days following the service of the report and 3249
recommendation as provided in this section. The superintendent 3250
may order additional testimony to be taken or permit the 3251
introduction of further documentary evidence. The superintendent 3252
may approve, modify, or disapprove the recommendation of the 3253
hearing officer, and the order of the superintendent based on 3254
the report, recommendation, transcript of testimony, and 3255
evidence, or the objections of the acquiring party, and 3256
additional testimony and evidence shall have the same effect as 3257
if the hearing had been conducted by the superintendent. No such 3258
recommendation is final until confirmed and approved by the 3259
superintendent as indicated by the order entered in the record 3260

of proceedings, and if the superintendent modifies or 3261
disapproves the recommendations of the hearing officer, the 3262
reasons for the modification or disapproval shall be included in 3263
the record of proceedings. 3264

After the order is entered, the superintendent shall 3265
transmit in the manner and by any of the methods set forth in 3266
division (F)(2)(b) of this section a certified copy of the order 3267
and a statement of the time and method by which an appeal may be 3268
perfected. A copy of the order shall be mailed to the attorneys 3269
or other representatives of record representing the acquiring 3270
party. 3271

(e) An order of disapproval issued by the superintendent 3272
may be appealed to the court of common pleas ~~of Franklin county~~ 3273
in accordance with section 119.12 of the Revised Code by filing 3274
a notice of appeal with the superintendent and a copy of the 3275
notice of appeal with the court, within fifteen calendar days 3276
after the transmittal of the copy of the order of disapproval. 3277
The notice of appeal shall set forth the order appealed from and 3278
the grounds for appeal, in accordance with section 119.12 of the 3279
Revised Code. 3280

(3) The superintendent may retain at the acquiring party's 3281
expense any attorneys, actuaries, accountants, and other experts 3282
not otherwise a part of the superintendent's staff as may be 3283
reasonably necessary to assist the superintendent in reviewing 3284
the proposed acquisition of control. 3285

(G) This section does not apply to either of the 3286
following: 3287

(1) Any transaction that is subject to section 3921.14, or 3288
sections 3925.27 to 3925.31, 3941.35 to 3941.46, or section 3289

3953.19 of the Revised Code;	3290
(2) Any offer, request, invitation, agreement, or acquisition that the superintendent by order exempts from this section on either of the following bases:	3291 3292 3293
(a) It has not been made or entered into for the purpose and does not have the effect of changing or influencing the control of a domestic insurer;	3294 3295 3296
(b) It is not otherwise comprehended within the purposes of this section.	3297 3298
(H) Nothing in this section or in any other section of Title XXXIX of the Revised Code shall be construed to impair the authority of the attorney general to investigate or prosecute actions under any state or federal antitrust law with respect to any merger or other acquisition involving domestic insurers.	3299 3300 3301 3302 3303
(I) In connection with a proposed change of control involving a depository institution or any affiliate thereof, within the meaning of Title I, section 104(c) of the "Gramm-Leach-Bliley Act," Pub. L. No. 106-102, 113 Stat. 1338 (1999), and a domestic insurer, not later than sixty days after the date of the notification of the proposed change in control submitted pursuant to division (B) (2) of this section, the superintendent shall make any determination that the person acquiring control of the insurer shall maintain or restore the capital of the insurer to the level required by the laws and regulations of this state.	3304 3305 3306 3307 3308 3309 3310 3311 3312 3313 3314
Sec. 3913.13. Any policyholder adversely affected by an order of the superintendent of insurance pursuant to division (F) of section 3913.11 of the Revised Code, may appeal to the court of common pleas of Franklin county pursuant to section	3315 3316 3317 3318

119.12 of the Revised Code. 3319

Sec. 3913.23. Any policyholder adversely affected by an 3320
order of the superintendent of insurance pursuant to division 3321
(F) of section 3913.21 of the Revised Code, may appeal to the 3322
court of common pleas ~~of Franklin county~~ pursuant to section 3323
119.12 of the Revised Code. 3324

Sec. 5101.35. (A) As used in this section: 3325

(1) (a) "Agency" means the following entities that 3326
administer a family services program: 3327

(i) The department of job and family services; 3328

(ii) A county department of job and family services; 3329

(iii) A public children services agency; 3330

(iv) A private or government entity administering, in 3331
whole or in part, a family services program for or on behalf of 3332
the department of job and family services or a county department 3333
of job and family services or public children services agency. 3334

(b) If the department of medicaid contracts with the 3335
department of job and family services to hear appeals authorized 3336
by section 5160.31 of the Revised Code regarding medical 3337
assistance programs, "agency" includes the department of 3338
medicaid. 3339

(2) "Appellant" means an applicant, participant, former 3340
participant, recipient, or former recipient of a family services 3341
program who is entitled by federal or state law to a hearing 3342
regarding a decision or order of the agency that administers the 3343
program. 3344

(3) (a) "Family services program" means all of the 3345

following: 3346

(i) A Title IV-A program as defined in section 5101.80 of 3347
the Revised Code; 3348

(ii) Programs that provide assistance under Chapter 5104. 3349
of the Revised Code; 3350

(iii) Programs that provide assistance under section 3351
5101.141, 5101.461, 5101.54, 5119.41, 5153.163, or 5153.165 of 3352
the Revised Code; 3353

(iv) Title XX social services provided under section 3354
5101.46 of the Revised Code, other than such services provided 3355
by the department of mental health and addiction services, the 3356
department of developmental disabilities, a board of alcohol, 3357
drug addiction, and mental health services, or a county board of 3358
developmental disabilities. 3359

(b) If the department of medicaid contracts with the 3360
department of job and family services to hear appeals authorized 3361
by section 5160.31 of the Revised Code regarding medical 3362
assistance programs, "family services program" includes medical 3363
assistance programs. 3364

(4) "Medical assistance program" has the same meaning as 3365
in section 5160.01 of the Revised Code. 3366

(B) Except as provided by divisions (G) and (H) of this 3367
section, an appellant who appeals under federal or state law a 3368
decision or order of an agency administering a family services 3369
program shall, at the appellant's request, be granted a state 3370
hearing by the department of job and family services. This state 3371
hearing shall be conducted in accordance with rules adopted 3372
under this section. The state hearing shall be recorded, but 3373
neither the recording nor a transcript of the recording shall be 3374

part of the official record of the proceeding. Except as 3375
provided in section 5160.31 of the Revised Code, a state hearing 3376
decision is binding upon the agency and department, unless it is 3377
reversed or modified on appeal to the director of job and family 3378
services or a court of common pleas. 3379

(C) Except as provided by division (G) of this section, an 3380
appellant who disagrees with a state hearing decision may make 3381
an administrative appeal to the director of job and family 3382
services in accordance with rules adopted under this section. 3383
This administrative appeal does not require a hearing, but the 3384
director or the director's designee shall review the state 3385
hearing decision and previous administrative action and may 3386
affirm, modify, remand, or reverse the state hearing decision. 3387
An administrative appeal decision is the final decision of the 3388
department and, except as provided in section 5160.31 of the 3389
Revised Code, is binding upon the department and agency, unless 3390
it is reversed or modified on appeal to the court of common 3391
pleas. 3392

(D) An agency shall comply with a decision issued pursuant 3393
to division (B) or (C) of this section within the time limits 3394
established by rules adopted under this section. If a county 3395
department of job and family services or a public children 3396
services agency fails to comply within these time limits, the 3397
department may take action pursuant to section 5101.24 of the 3398
Revised Code. If another agency, other than the department of 3399
medicaid, fails to comply within the time limits, the department 3400
may force compliance by withholding funds due the agency or 3401
imposing another sanction established by rules adopted under 3402
this section. 3403

(E) An appellant who disagrees with an administrative 3404

appeal decision of the director of job and family services or 3405
the director's designee issued under division (C) of this 3406
section may appeal from the decision to the court of common 3407
pleas pursuant to section 119.12 of the Revised Code. The appeal 3408
shall be governed by section 119.12 of the Revised Code except 3409
that: 3410

~~(1) The person may appeal to the court of common pleas of 3411
the county in which the person resides, or to the court of 3412
common pleas of Franklin county if the person does not reside in 3413
this state. 3414~~

~~(2)~~ The person may apply to the court for designation as 3415
an indigent and, if the court grants this application, the 3416
appellant shall not be required to furnish the costs of the 3417
appeal. 3418

~~(3)~~ (2) The appellant shall mail the notice of appeal to 3419
the department of job and family services and file notice of 3420
appeal with the court within thirty days after the department 3421
mails the administrative appeal decision to the appellant. For 3422
good cause shown, the court may extend the time for mailing and 3423
filing notice of appeal, but such time shall not exceed six 3424
months from the date the department mails the administrative 3425
appeal decision. Filing notice of appeal with the court shall be 3426
the only act necessary to vest jurisdiction in the court. 3427

~~(4)~~ (3) The department shall be required to file a 3428
transcript of the testimony of the state hearing with the court 3429
only if the court orders the department to file the transcript. 3430
The court shall make such an order only if it finds that the 3431
department and the appellant are unable to stipulate to the 3432
facts of the case and that the transcript is essential to a 3433
determination of the appeal. The department shall file the 3434

transcript not later than thirty days after the day such an 3435
order is issued. 3436

(F) The department of job and family services shall adopt 3437
rules in accordance with Chapter 119. of the Revised Code to 3438
implement this section, including rules governing the following: 3439

(1) State hearings under division (B) of this section. The 3440
rules shall include provisions regarding notice of eligibility 3441
termination and the opportunity of an appellant appealing a 3442
decision or order of a county department of job and family 3443
services to request a county conference with the county 3444
department before the state hearing is held. 3445

(2) Administrative appeals under division (C) of this 3446
section; 3447

(3) Time limits for complying with a decision issued under 3448
division (B) or (C) of this section; 3449

(4) Sanctions that may be applied against an agency under 3450
division (D) of this section. 3451

(G) The department of job and family services may adopt 3452
rules in accordance with Chapter 119. of the Revised Code 3453
establishing an appeals process for an appellant who appeals a 3454
decision or order regarding a Title IV-A program identified 3455
under division (A) (4) (c), (d), (e), (f), or (g) of section 3456
5101.80 of the Revised Code that is different from the appeals 3457
process established by this section. The different appeals 3458
process may include having a state agency that administers the 3459
Title IV-A program pursuant to an interagency agreement entered 3460
into under section 5101.801 of the Revised Code administer the 3461
appeals process. 3462

(H) If an appellant receiving medicaid through a health 3463

insuring corporation that holds a certificate of authority under 3464
Chapter 1751. of the Revised Code is appealing a denial of 3465
medicaid services based on lack of medical necessity or other 3466
clinical issues regarding coverage by the health insuring 3467
corporation, the person hearing the appeal may order an 3468
independent medical review if that person determines that a 3469
review is necessary. The review shall be performed by a health 3470
care professional with appropriate clinical expertise in 3471
treating the recipient's condition or disease. The department 3472
shall pay the costs associated with the review. 3473

A review ordered under this division shall be part of the 3474
record of the hearing and shall be given appropriate evidentiary 3475
consideration by the person hearing the appeal. 3476

(I) The requirements of Chapter 119. of the Revised Code 3477
apply to a state hearing or administrative appeal under this 3478
section only to the extent, if any, specifically provided by 3479
rules adopted under this section. 3480

Sec. 5164.38. (A) As used in this section: 3481

(1) "Party" has the same meaning as in division (G) of 3482
section 119.01 of the Revised Code. 3483

(2) "Revalidate" means to approve a medicaid provider's 3484
continued enrollment as a medicaid provider in accordance with 3485
the revalidation process established in rules authorized by 3486
section 5164.32 of the Revised Code. 3487

(B) This section does not apply to either of the 3488
following: 3489

(1) Any action taken or decision made by the department of 3490
medicaid with respect to entering into or refusing to enter into 3491
a contract with a managed care organization pursuant to section 3492

5167.10 of the Revised Code;	3493
(2) Any action taken by the department under division (D)	3494
(2) of section 5124.60, division (D) (1) or (2) of section	3495
5124.61, or sections 5165.60 to 5165.89 of the Revised Code.	3496
(C) Except as provided in division (E) of this section and	3497
section 5164.58 of the Revised Code, the department shall do any	3498
of the following by issuing an order pursuant to an adjudication	3499
conducted in accordance with Chapter 119. of the Revised Code:	3500
(1) Refuse to enter into a provider agreement with a	3501
medicaid provider;	3502
(2) Refuse to revalidate a medicaid provider's provider	3503
agreement;	3504
(3) Suspend or terminate a medicaid provider's provider	3505
agreement;	3506
(4) Take any action based upon a final fiscal audit of a	3507
medicaid provider.	3508
(D) Any party who is adversely affected by the issuance of	3509
an adjudication order under division (C) of this section may	3510
appeal to the court of common pleas of Franklin county in	3511
accordance with section 119.12 of the Revised Code.	3512
(E) The department is not required to comply with division	3513
(C) (1), (2), or (3) of this section whenever any of the	3514
following occur:	3515
(1) The terms of a provider agreement require the medicaid	3516
provider to hold a license, permit, or certificate or maintain a	3517
certification issued by an official, board, commission,	3518
department, division, bureau, or other agency of state or	3519
federal government other than the department of medicaid, and	3520

the license, permit, certificate, or certification has been 3521
denied, revoked, not renewed, suspended, or otherwise limited. 3522

(2) The terms of a provider agreement require the medicaid 3523
provider to hold a license, permit, or certificate or maintain 3524
certification issued by an official, board, commission, 3525
department, division, bureau, or other agency of state or 3526
federal government other than the department of medicaid, and 3527
the provider has not obtained the license, permit, certificate, 3528
or certification. 3529

(3) The medicaid provider's application for a provider 3530
agreement is denied, or the provider's provider agreement is 3531
terminated or not revalidated, because of or pursuant to any of 3532
the following: 3533

(a) The termination, refusal to renew, or denial of a 3534
license, permit, certificate, or certification by an official, 3535
board, commission, department, division, bureau, or other agency 3536
of this state other than the department of medicaid, 3537
notwithstanding the fact that the provider may hold a license, 3538
permit, certificate, or certification from an official, board, 3539
commission, department, division, bureau, or other agency of 3540
another state; 3541

(b) Division (D) or (E) of section 5164.35 of the Revised 3542
Code; 3543

(c) The provider's termination, suspension, or exclusion 3544
from the medicare program or from another state's medicaid 3545
program and, in either case, the termination, suspension, or 3546
exclusion is binding on the provider's participation in the 3547
medicaid program in this state; 3548

(d) The provider's pleading guilty to or being convicted 3549

of a criminal activity materially related to either the medicare 3550
or medicaid program; 3551

(e) The provider or its owner, officer, authorized agent, 3552
associate, manager, or employee having been convicted of one of 3553
the offenses that caused the provider's provider agreement to be 3554
suspended pursuant to section 5164.36 of the Revised Code; 3555

(f) The provider's failure to provide the department the 3556
national provider identifier assigned the provider by the 3557
national provider system pursuant to 45 C.F.R. 162.408. 3558

(4) The medicaid provider's application for a provider 3559
agreement is denied, or the provider's provider agreement is 3560
terminated or suspended, as a result of action by the United 3561
States department of health and human services and that action 3562
is binding on the provider's medicaid participation. 3563

(5) The medicaid provider's provider agreement and 3564
medicaid payments to the provider are suspended under section 3565
5164.36 or 5164.37 of the Revised Code. 3566

(6) The medicaid provider's application for a provider 3567
agreement is denied because the provider's application was not 3568
complete; 3569

(7) The medicaid provider's provider agreement is 3570
converted under section 5164.32 of the Revised Code from a 3571
provider agreement that is not time-limited to a provider 3572
agreement that is time-limited. 3573

(8) Unless the medicaid provider is a nursing facility or 3574
ICF/IID, the provider's provider agreement is not revalidated 3575
pursuant to division (B)(1) of section 5164.32 of the Revised 3576
Code. 3577

(9) The medicaid provider's provider agreement is 3578
suspended, terminated, or not revalidated because of either of 3579
the following: 3580

(a) Any reason authorized or required by one or more of 3581
the following: 42 C.F.R. 455.106, 455.23, 455.416, 455.434, or 3582
455.450; 3583

(b) The provider has not billed or otherwise submitted a 3584
medicaid claim for two years or longer. 3585

(F) In the case of a medicaid provider described in 3586
division (E) (3) (f), (6), (7), or (9) (b) of this section, the 3587
department may take its action by sending a notice explaining 3588
the action to the provider. The notice shall be sent to the 3589
medicaid provider's address on record with the department. The 3590
notice may be sent by regular mail. 3591

(G) The department may withhold payments for medicaid 3592
services rendered by a medicaid provider during the pendency of 3593
proceedings initiated under division (C) (1), (2), or (3) of this 3594
section. If the proceedings are initiated under division (C) (4) 3595
of this section, the department may withhold payments only to 3596
the extent that they equal amounts determined in a final fiscal 3597
audit as being due the state. This division does not apply if 3598
the department fails to comply with section 119.07 of the 3599
Revised Code, requests a continuance of the hearing, or does not 3600
issue a decision within thirty days after the hearing is 3601
completed. This division does not apply to nursing facilities 3602
and ICFs/IID. 3603

Section 2. That existing sections 107.43, 109.02, 119.12, 3604
124.34, 956.11, 956.15, 1901.02, 1901.021, 1901.041, 2301.03, 3605
2743.03, 3794.09, 3901.321, 3913.13, 3913.23, 5101.35, and 3606

5164.38 of the Revised Code are hereby repealed. 3607

Section 3. All cases arising in Perry Township in Wood 3608
County that are pending in the Fostoria branch of the Tiffin- 3609
Fostoria Municipal Court on the effective date of this section 3610
shall be adjudicated by the Fostoria branch of the Tiffin- 3611
Fostoria Municipal Court. All cases arising in Perry Township in 3612
Wood County on or after the effective date of this section shall 3613
be brought before the Bowling Green Municipal Court. 3614

Section 4. Section 119.12 of the Revised Code is presented 3615
in this act as a composite of the section as amended by both 3616
H.B. 52 and H.B. 64 of the 131st General Assembly. The General 3617
Assembly, applying the principle stated in division (B) of 3618
section 1.52 of the Revised Code that amendments are to be 3619
harmonized if reasonably capable of simultaneous operation, 3620
finds that the composite is the resulting version of the section 3621
in effect prior to the effective date of the section as 3622
presented in this act. 3623