

**As Introduced**

**134th General Assembly**

**Regular Session**

**2021-2022**

**H. B. No. 315**

**Representatives Leland, Hillyer**

**Cosponsors: Representatives Robinson, Smith, K., Boyd, Upchurch, Howse, Brent, Skindell, Sweeney, Crossman, Smith, M., Miller, A., Boggs, Lightbody, Brown, Liston, Russo, Jarrells, Crawley, Miranda, Kelly, Ingram, Denson, Sykes, Galonski, Weinstein, Blackshear, Hicks-Hudson, SobECKi, Sheehy, West, Lepore-Hagan, Troy, O'Brien, Lanese, Young, B., Stoltzfus, Cutrona, Callender, Stewart, Koehler, Riedel, Cross, Ferguson**



**A BILL**

To amend sections 120.08, 122.014, 307.51, 307.511, 1  
307.515, 1901.026, 1901.28, 1901.31, 1907.20, 2  
1907.32, 2329.54, 2713.05, 2713.09, 2713.10, 3  
2713.11, 2713.13, 2713.14, 2713.15, 2713.16, 4  
2713.17, 2713.18, 2713.19, 2713.20, 2713.21, 5  
2713.22, 2713.23, 2713.24, 2713.25, 2713.26, 6  
2715.25, 2725.18, 2743.70, 2746.02, 2907.41, 7  
2919.251, 2925.01, 2925.02, 2925.03, 2925.04, 8  
2925.041, 2925.05, 2925.11, 2935.10, 2935.13, 9  
2935.14, 2935.27, 2937.01, 2937.03, 2937.08, 10  
2937.09, 2937.15, 2937.16, 2937.17, 2937.222, 11  
2937.23, 2937.24, 2937.25, 2937.26, 2937.27, 12  
2937.28, 2937.281, 2937.29, 2937.30, 2937.33, 13  
2937.34, 2937.35, 2937.36, 2937.37, 2937.39, 14  
2937.40, 2937.41, 2937.45, 2937.46, 2941.58, 15  
2949.091, 2949.093, 2949.094, 2949.111, 2953.31, 16  
2963.13, 3319.292, 3719.21, 3772.01, 3772.36, 17  
4501.11, 4506.01, 4506.16, 4509.01, 4509.35, 18  
4510.01, 4510.03, 4511.01, 4513.37, 4729.65, and 19  
5503.04; to enact sections 2937.011, 2937.012, 20

2937.013, 2937.014, and 2937.015; and to repeal 21  
sections 2937.22, 2937.31, 2937.32, and 2937.38 22  
of the Revised Code to make changes regarding 23  
bail. 24

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

**Section 1.** That sections 120.08, 122.014, 307.51, 307.511, 25  
307.515, 1901.026, 1901.28, 1901.31, 1907.20, 1907.32, 2329.54, 26  
2713.05, 2713.09, 2713.10, 2713.11, 2713.13, 2713.14, 2713.15, 27  
2713.16, 2713.17, 2713.18, 2713.19, 2713.20, 2713.21, 2713.22, 28  
2713.23, 2713.24, 2713.25, 2713.26, 2715.25, 2725.18, 2743.70, 29  
2746.02, 2907.41, 2919.251, 2925.01, 2925.02, 2925.03, 2925.04, 30  
2925.041, 2925.05, 2925.11, 2935.10, 2935.13, 2935.14, 2935.27, 31  
2937.01, 2937.03, 2937.08, 2937.09, 2937.15, 2937.16, 2937.17, 32  
2937.222, 2937.23, 2937.24, 2937.25, 2937.26, 2937.27, 2937.28, 33  
2937.281, 2937.29, 2937.30, 2937.33, 2937.34, 2937.35, 2937.36, 34  
2937.37, 2937.39, 2937.40, 2937.41, 2937.45, 2937.46, 2941.58, 35  
2949.091, 2949.093, 2949.094, 2949.111, 2953.31, 2963.13, 36  
3319.292, 3719.21, 3772.01, 3772.36, 4501.11, 4506.01, 4506.16, 37  
4509.01, 4509.35, 4510.01, 4510.03, 4511.01, 4513.37, 4729.65, 38  
and 5503.04 be amended and sections 2937.011, 2937.012, 39  
2937.013, 2937.014, and 2937.015 of the Revised Code be enacted 40  
to read as follows: 41

**Sec. 120.08.** There is hereby created in the state treasury 42  
the indigent defense support fund, consisting of money paid into 43  
the fund pursuant to sections 4507.45, 4509.101, 4510.22, and 44  
4511.19 of the Revised Code and pursuant to sections 45  
~~2937.222~~2937.014, 2949.091, and 2949.094 of the Revised Code out 46  
of the additional court costs imposed under those sections. The 47

state public defender shall use at least eighty-three per cent 48  
of the money in the fund for the purposes of reimbursing county 49  
governments for expenses incurred pursuant to sections 120.18, 50  
120.28, and 120.33 of the Revised Code and operating its system 51  
pursuant to division (C) (7) of section 120.04 of the Revised 52  
Code and division (B) of section 120.33 of the Revised Code. 53  
Disbursements from the fund to county governments shall be made 54  
at least once per year and shall be allocated proportionately so 55  
that each county receives an equal percentage of its cost for 56  
operating its county public defender system, its joint county 57  
public defender system, its county appointed counsel system, or 58  
its system operated under division (C) (7) of section 120.04 of 59  
the Revised Code and division (B) of section 120.33 of the 60  
Revised Code. The state public defender may use not more than 61  
seventeen per cent of the money in the fund for the purposes of 62  
appointing assistant state public defenders, providing other 63  
personnel, equipment, and facilities necessary for the operation 64  
of the state public defender office, and providing training, 65  
developing and implementing electronic forms, or establishing 66  
and maintaining an information technology system used for the 67  
uniform operation of this chapter. 68

**Sec. 122.014.** (A) As used in this section, "gaming 69  
activities" means activities conducted in connection with or 70  
that include any of the following: 71

(1) Casino gaming, as authorized and defined in Section 72  
6(C) of Article XV, Ohio Constitution; 73

(2) Casino gaming, as defined in ~~division (E) of section~~ 74  
3772.01 of the Revised Code; or 75

(3) The pari-mutuel system of wagering as authorized and 76  
described in Chapter 3769. of the Revised Code. 77

(B) The department of development or any other entity that administers any program or development project established under Chapter 122., 166., or 184. of the Revised Code or ~~in sections~~ section 149.311, 5709.87, or 5709.88 of the Revised Code shall not provide any financial assistance, including loans, tax credits, and grants, staffing assistance, technical support, or other assistance to businesses conducting gaming activities or for project sites on which gaming activities are or will be conducted.

**Sec. 307.51.** (A) As used in this section, ~~"county office":~~ 87

(1) "County office" means any officer, department, board, commission, or agency of a county. 88  
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(2) "Monetary bond" has the same meaning as in section 2937.01 of the Revised Code. 90  
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(B) There is hereby created in each county a county law library resources board. The board shall consist of five members who shall be appointed and hold office as provided in section 307.511 of the Revised Code. Beginning on January 1, 2010, subject to appropriation pursuant to section 307.513 of the Revised Code, the board shall provide legal research, reference, and library services to the county and to the municipal corporations, townships, and courts within the county and shall manage the coordination, acquisition, and utilization of legal resources. 92  
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(C) The board shall employ a county law librarian who shall be the chief administrator of the county law library resources board and may employ additional staff to perform any functions as determined by the board. The board shall fix the compensation of the county law librarian and any additional 102  
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employees. All employees of the county law library resources	107
board shall be in the unclassified civil service of the county.	108
(D) (1) The board may adopt any rules it considers	109
necessary for its operation and shall adopt rules for the	110
following:	111
(a) The expenditure of funds that are appropriated for its	112
use pursuant to division (B) of section 307.513 of the Revised	113
Code;	114
(b) Public access and hours of operation of the law	115
library;	116
(c) Fees for services;	117
(d) The receipt of gifts to the county law library	118
resources fund.	119
(2) The board shall not charge any fee for any service	120
provided to any member of the general assembly or to any officer	121
or employee of a county, municipal, or township government or	122
court located within that county when the officer or employee is	123
acting within the scope of the officer's or employee's	124
employment.	125
(3) Fees for services do not include fees for access to	126
the law library. The board shall not charge a fee for access to	127
the law library.	128
(4) The county law librarian or the librarian's designee	129
shall deposit all fees collected pursuant to this section by any	130
employee of the county law library resources board into the	131
county law library resources fund established pursuant to	132
section 307.514 of the Revised Code.	133
(E) There is hereby established a transition advisory	134

council that shall consist of those individuals serving as 135  
members of the board of trustees of the law library association 136  
of the county that, as of ~~the effective date of this section~~ 137  
December 30, 2008, received fines, penalties, and moneys arising 138  
from forfeited ~~bail~~ monetary bonds under sections 3375.50 to 139  
3375.53 of the Revised Code, as amended and repealed by this 140  
act. The transition advisory council shall exist from July 1, 141  
2009, to December 31, 2010. After December 31, 2010, the board 142  
may create an advisory council that is comprised of persons 143  
engaged in the private practice of law and with expertise in the 144  
operation and funding of law libraries. 145

(F) Subject to the approval of the board of county 146  
commissioners of the county, the county law library resources 147  
board may contract with other county law library resources 148  
boards, the statewide consortium of law library resources 149  
boards, private entities, or public agencies for the provision 150  
of any services that the county law library resources board 151  
considers necessary. 152

(G) After January 1, 2010, no county office shall 153  
purchase, lease, rent, operate, or contract for the use of any 154  
legal research or reference materials available in print, audio, 155  
visual, or other medium or, notwithstanding section 307.842 of 156  
the Revised Code, any equipment necessary to support the 157  
utilization of that medium without prior approval of the board. 158  
If such approval is denied, the county office, notwithstanding 159  
section 307.842 of the Revised Code, may purchase, lease, rent, 160  
operate, or contract for the use of any legal research or 161  
reference materials available in print, audio, visual, or other 162  
medium at its own expense. 163

**Sec. 307.511.** (A) The five members of the county law 164

library resources board shall be residents of the county and 165  
shall be appointed as follows: 166

(1) The prosecuting attorney of the county shall appoint 167  
one member whose initial term shall expire on December 31, 2010. 168

(2) The administrative judges or presiding judges of all 169  
municipal courts and county courts within the county shall meet 170  
to appoint one member who is an attorney licensed to practice 171  
law in the state and in good standing before the supreme court 172  
of Ohio and whose initial term shall expire on December 31, 173  
2011. 174

(3) The administrative judge or presiding judge of the 175  
court of common pleas of the county shall appoint one member who 176  
is an attorney licensed to practice law in the state and in good 177  
standing before the supreme court of Ohio and whose initial term 178  
shall expire on December 31, 2012. 179

(4) The board of county commissioners shall appoint one 180  
member whose initial term shall expire on December 31, 2013. 181

(5) The board of county commissioners shall appoint one 182  
member whose initial term shall expire on December 31, 2014. 183

(B) The member appointed pursuant to division (A) (5) of 184  
this section shall serve as the chairperson of the county law 185  
library resources board until December 31, 2010. After that 186  
date, the board shall select a chairperson from among the 187  
members of the board. 188

(C) During the period of July 1, 2009, through December 189  
31, 2010, the county law library resources board shall consist 190  
of seven members and shall include members appointed pursuant to 191  
division (A) of this section and two members who are residents 192  
of the county appointed for this period by the board of trustees 193

of the law library association within the county that, prior to 194  
~~the effective date of this section December 30, 2008,~~ receives 195  
fines, penalties, and moneys arising from forfeited ~~bail~~ 196  
monetary bonds pursuant to sections 3375.50 to 3375.53 of the 197  
Revised Code, as amended and repealed by this act. 198

(D) The initial appointments to the county law library 199  
resources board as provided in divisions (A) and (B) of this 200  
section shall be made on or before July 1, 2009, and for the 201  
term specified. Thereafter, terms for all members appointed 202  
pursuant to division (A) of this section shall be for five 203  
years, with each term ending on the same day of the same month 204  
as did the term that it succeeds. 205

(E) Each member of the board shall hold office from the 206  
date of the member's appointment until the end of the term for 207  
which the member was appointed. Vacancies shall be filled within 208  
sixty days after the vacancy occurs and shall be filled in the 209  
manner provided for original appointments. Any member appointed 210  
to fill a vacancy occurring prior to the expiration date of the 211  
term for which the member's predecessor was appointed shall hold 212  
office as a member for the remainder of that term. A member 213  
shall continue in office subsequent to the expiration date of 214  
the member's term until the member's successor takes office or 215  
until a period of sixty days has elapsed, whichever occurs 216  
first. 217

(F) A member of the board of trustees of a law library 218  
association may serve as a member of a county law library 219  
resources board if the member discloses each membership to the 220  
board of trustees of the law library association and the county 221  
law library resources board. 222

(G) As used in this section, "monetary bond" has the same 223



meaning as in section 2937.01 of the Revised Code. 224

**Sec. 307.515.** (A) All fines and penalties collected by, 225  
and moneys arising from forfeited ~~bail~~monetary bonds in, a 226  
municipal court for offenses and misdemeanors brought for 227  
prosecution in the name of a municipal corporation under one of 228  
its penal ordinances, where there is in force a state statute 229  
under which the offense might be prosecuted, or brought for 230  
prosecution in the name of the state, except a portion of those 231  
fines, penalties, and moneys that, plus all costs collected 232  
monthly in those state cases, equal the compensation allowed by 233  
the board of county commissioners to the judges of the municipal 234  
court, its clerk, and the prosecuting attorney of that court in 235  
state cases, shall be retained by the clerk of that municipal 236  
court and shall be deposited by the clerk each month in the 237  
county law library resources fund that is created under section 238  
307.514 of the Revised Code in the county in which that 239  
municipal corporation is located. The sum that the clerk of the 240  
municipal court deposits in the county law library resources 241  
fund shall in no month be less than twenty-five per cent of the 242  
amount of such fines, penalties, and moneys received in that 243  
month, without deducting the amount of the allowance of the 244  
board of county commissioners to the judges, clerk, and 245  
prosecuting attorney. 246

The total amount paid under this section in any one 247  
calendar year by the clerks of all municipal courts in any one 248  
county to the county law library resources fund shall in no 249  
event exceed the following amounts: 250

(1) In counties having a population of fifty thousand or 251  
less, seventy-five hundred dollars and the maximum amount paid 252  
by any of such courts shall not exceed four thousand dollars in 253

any calendar year.	254
(2) In counties having a population in excess of fifty thousand but not in excess of one hundred thousand, eight thousand dollars and the maximum amount paid by any of such courts shall not exceed five thousand five hundred dollars in any calendar year.	255 256 257 258 259
(3) In counties having a population in excess of one hundred thousand but not in excess of one hundred fifty thousand, ten thousand dollars and the maximum amount paid by any of such courts shall not exceed seven thousand dollars in any calendar year.	260 261 262 263 264
(4) In counties having a population of in excess of one hundred fifty thousand, fifteen thousand dollars in any calendar year. The maximum amount to be paid by each clerk shall be determined by the county auditor in December of each year for the next succeeding calendar year and shall bear the same ratio to the total amount payable under this section from the clerks of all municipal courts in such county as the total fines, costs, and forfeitures received by the corresponding municipal court, bear to the total fines, costs, and forfeitures received by all the municipal courts in the county, as shown for the last complete year of actual receipts, on the latest available budgets of such municipal courts. Payments in the full amounts provided in this section shall be made monthly by each clerk in each calendar year until the maximum amount for such year has been paid. When that amount, so determined by the auditor, has been paid to the county law library resources fund, then no further payments shall be required in that calendar year from the clerk of that court.	265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282
(5) This section does not apply to fines collected by a	283

municipal court for violations of division (B) of section 284  
4513.263 of the Revised Code, or for violations of any municipal 285  
ordinance that is substantively comparable to that division, all 286  
of which shall be forwarded to the treasurer of state as 287  
provided in division (E) of section 4513.263 of the Revised 288  
Code. 289

(B) The county treasurer, upon the voucher of the county 290  
auditor, shall deposit fifty per cent of all moneys collected by 291  
a county court accruing from fines, penalties, and forfeited 292  
~~bail-monetary bonds~~, unless otherwise distributed by law, in the 293  
county law library resources fund in that county that is created 294  
under section 307.514 of the Revised Code. The county treasurer 295  
shall deposit those moneys into that fund within thirty days 296  
after those moneys have been paid into the county treasury by 297  
the clerk of the county court. 298

This section does not apply to fines collected by a county 299  
court for violations of division (B) of section 4513.263 of the 300  
Revised Code, or for violations of any municipal ordinance that 301  
is substantively comparable to that division, all of which shall 302  
be forwarded to the treasurer of state as provided in division 303  
(E) of section 4513.263 of the Revised Code. 304

(C) In each county of the state, the clerk of the court of 305  
common pleas and the clerk of the probate court shall retain all 306  
fines and penalties collected by, and moneys arising from 307  
forfeited ~~bail-monetary bonds~~ in, the court of common pleas and 308  
the probate court of that county for offenses and misdemeanors 309  
brought for prosecution in those courts in the name of the state 310  
and monthly shall deposit those moneys in the county law library 311  
resources fund in that county that is created under section 312  
307.514 of the Revised Code. The total sums so deposited shall 313

not exceed twelve hundred fifty dollars per annum, and when that 314  
amount has been deposited in the fund in accordance with this 315  
section then no further payments shall be required under this 316  
section in that calendar year from the clerks of those 317  
respective courts. 318

This section does not apply to fines collected by a court 319  
of common pleas for violations of division (B) of section 320  
4513.263 of the Revised Code, all of which shall be forwarded to 321  
the treasurer of state as provided in division (E) of that 322  
section. 323

This section does not apply to fines imposed under 324  
division (B) (9) of section 2929.18 of the Revised Code and 325  
collected by a court of common pleas, all of which shall be 326  
forwarded by the court to the treasurer of state not later than 327  
the twentieth day of the month after the month in which they are 328  
collected for deposit into the state treasury to the credit of 329  
the rape crisis program trust fund created by section 109.921 of 330  
the Revised Code. 331

(D) In each county, the treasurer of the county or the 332  
treasurer of the municipal corporation shall deposit monthly 333  
fifty per cent of all fines and penalties collected by, and 334  
fifty per cent of moneys arising from forfeited ~~bail~~ monetary 335  
bonds in, any court in that county for offenses brought for 336  
prosecution under Chapters 4301. and 4303. of the Revised Code 337  
and the state traffic laws in the county legal resources fund in 338  
that county that is created under section 307.514 of the Revised 339  
Code. The sum so deposited in that fund by each treasurer shall 340  
not exceed twelve hundred dollars per annum under Chapters 4301. 341  
and 4303. of the Revised Code, and when that amount has been 342  
deposited in that fund in accordance with this section, then no 343

further deposits shall be required under this section in that 344  
calendar year from those treasurers. 345

(E) As used in this section, ~~"state traffic laws"~~: 346

(1) "Monetary bond" has the same meaning as in section 347  
2937.01 of the Revised Code. 348

(2) "State traffic laws" does not include division (B) of 349  
section 4513.263 of the Revised Code. 350

**Sec. 1901.026.** (A) The current operating costs of a 351  
municipal court, other than a county-operated municipal court, 352  
that has territorial jurisdiction under section 1901.02 or 353  
1901.182 of the Revised Code that extends beyond the corporate 354  
limits of the municipal corporation in which the court is 355  
located shall be apportioned pursuant to this section among all 356  
of the municipal corporations and townships that are within the 357  
territory of the court. Each municipal corporation and each 358  
township within the territory of the municipal court shall be 359  
assigned a proportionate share of the current operating costs of 360  
the municipal court that is equal to the percentage of the total 361  
criminal and civil caseload of the municipal court that arose in 362  
that municipal corporation or township. Each municipal 363  
corporation and each township then shall be liable for its 364  
assigned proportionate share of the current operating costs of 365  
the court, subject to division (B) of this section. 366

For purposes of this section, the criminal and civil 367  
caseload that arose in a municipal corporation or township is 368  
the total number of criminal cases filed in the municipal court 369  
during the preceding calendar year that arose out of offenses 370  
that occurred in the municipal corporation or township and the 371  
total number of civil cases filed in the municipal court during 372

the preceding calendar year in which the address of the majority 373  
of the defendants that are designated in the caption of the case 374  
and that have addresses within municipal corporations or 375  
townships within the territory of the court is within the 376  
municipal corporation or township or, if there is no majority of 377  
such defendants, in which the address of the first such 378  
defendant is within the municipal corporation or township. 379

(B) A municipal corporation or township within the 380  
territory of a municipal court is not required to pay that part 381  
of its proportionate share of the current operating costs of the 382  
court, as determined in accordance with division (A) of this 383  
section, that exceeds the total amount of costs, fees, fines, 384  
~~bail~~monetary bonds, or other moneys that was disbursed by the 385  
clerk of the court under division (F) of section 1901.31 of the 386  
Revised Code, to the municipal corporation or township during 387  
the period for which its proportionate share of the current 388  
operating costs was determined. The municipal corporation in 389  
which the court is located is liable, in addition to its 390  
proportionate share, for any part of the proportionate share of 391  
a municipal corporation or township that the municipal 392  
corporation or township is not required to pay under this 393  
division. 394

(C) The auditors or chief fiscal officers of each of the 395  
municipal corporations and townships within the territory of a 396  
municipal court for which the current operating costs are 397  
apportioned under this section shall meet not less than once 398  
each six months at the office of the auditor or chief fiscal 399  
officer of the municipal corporation in which the court is 400  
located to determine the proportionate share due from each 401  
municipal corporation and each township, to determine whether 402  
any municipal corporation or township is not required to pay any 403

part of its proportionate share under division (B) of this 404  
section, and to adjust accounts. The meetings shall be held at 405  
the direction of the auditor or chief fiscal officer of the 406  
municipal corporation in which the court is located, and the 407  
auditor or chief fiscal officer shall preside at the meetings. 408  
The proportionate share of each of the municipal corporations 409  
and townships, as reduced or increased in accordance with 410  
division (B) of this section, is payable from the general fund 411  
of the municipal corporation or township or from any other fund 412  
designated or funds appropriated for the purpose of paying the 413  
particular municipal corporation's or township's proportionate 414  
share of the current operating costs of the court. 415

The court of common pleas of the county in which a 416  
municipal court for which the current operating costs are 417  
apportioned under this section is located has jurisdiction over 418  
any civil action that is commenced to determine the current 419  
operating costs of the court, the proportionate share of the 420  
current operating costs to be paid by a particular municipal 421  
corporation or township within the territory of the court, or 422  
whether a municipal corporation or township is not required to 423  
pay any part of its proportionate share under division (B) of 424  
this section. 425

(D) For purposes of this section: 426

(1) "Operating costs" means the figure that is derived by 427  
subtracting the total of all costs that are collected and paid 428  
to the city treasury by the clerk of the municipal court 429  
pursuant to division (F) of section 1901.31 of the Revised Code 430  
and all interest received and paid to the city treasury in 431  
relation to the costs pursuant to division (G) of section 432  
1901.31 of the Revised Code from the total of the amounts 433

payable from the city treasury for the operation of the court 434  
pursuant to sections 1901.10, 1901.11, 1901.111, 1901.12, 435  
1901.31, 1901.311, 1901.312, 1901.32, 1901.33, 1901.331, 436  
1901.36, 1901.37, and 1901.38 of the Revised Code, other than 437  
any amounts payable from the city treasury for the operation of 438  
the court involving construction, capital improvements, rent, or 439  
the provision of heat and light. 440

(2) "Township" means a township that has adopted a limited 441  
home rule government pursuant to Chapter 504. of the Revised 442  
Code. 443

(3) "Criminal caseload" when used in regard to a township 444  
means cases arising from a violation of a township resolution 445  
for which a fine is imposed under Chapter 504. of the Revised 446  
Code. 447

(4) "Monetary bond" has the same meaning as in section 448  
2937.01 of the Revised Code. 449

**Sec. 1901.28.** (A) A person against whom a judgment has 450  
been rendered may stay execution on the judgment by entering 451  
into a bond to the adverse party within ten days after the 452  
rendition of the judgment with sufficient surety, who shall be a 453  
freeholder owning real property situated in the county or a 454  
corporation authorized to execute surety bonds in this state, 455  
which bond shall be approved by the clerk of the municipal court 456  
and conditioned for the payment of the amount of the judgment, 457  
interest, and costs. The bond shall be entered on the docket by 458  
the clerk of court and shall be signed by the surety. 459

(B) A stay of execution shall not be allowed on: 460

(1) Judgments against sureties or ~~bail~~ monetary bonds for 461  
the stay of execution; 462



(2) Judgments rendered in favor of sureties or ~~bail~~ 463  
monetary bonds who have been compelled by judgment to pay money 464  
on account of their principal; 465

(3) Judgments rendered against a surety on a bond or 466  
undertaking given in any action or proceeding in any court; 467

(4) Judgments for an amount not exceeding one hundred 468  
dollars rendered in favor of any person for wages due for manual 469  
labor by ~~him~~ the person performed; 470

(5) Judgments and decrees in actions of foreclosures of 471  
mortgages, mechanics' liens, and in proceedings to subject real 472  
property to the payment of judgments and marshalling of liens. 473

(C) In the Cleveland municipal court, if a freeholder of 474  
Cuyahoga county is a surety, the undertaking shall be a lien on 475  
the real property of the freeholder situated in Cuyahoga county 476  
from the time of signing the undertaking until the judgment and 477  
all costs in the case upon which the stay of execution has been 478  
granted are satisfied. 479

(D) As used in this section, "monetary bond" has the same 480  
meaning as in section 2937.01 of the Revised Code. 481

**Sec. 1901.31.** The clerk and deputy clerks of a municipal 482  
court shall be selected, be compensated, give bond, and have 483  
powers and duties as follows: 484

(A) There shall be a clerk of the court who is appointed 485  
or elected as follows: 486

(1) (a) Except in the Akron, Barberton, Toledo, Hamilton 487  
county, Miami county, Montgomery county, Portage county, and 488  
Wayne county municipal courts and through December 31, 2008, the 489  
Cuyahoga Falls municipal court, if the population of the 490

territory equals or exceeds one hundred thousand at the regular 491  
municipal election immediately preceding the expiration of the 492  
term of the present clerk, the clerk shall be nominated and 493  
elected by the qualified electors of the territory in the manner 494  
that is provided for the nomination and election of judges in 495  
section 1901.07 of the Revised Code. 496

The clerk so elected shall hold office for a term of six 497  
years, which term shall commence on the first day of January 498  
following the clerk's election and continue until the clerk's 499  
successor is elected and qualified. 500

(b) In the Hamilton county municipal court, the clerk of 501  
courts of Hamilton county shall be the clerk of the municipal 502  
court and may appoint an assistant clerk who shall receive the 503  
compensation, payable out of the treasury of Hamilton county in 504  
semimonthly installments, that the board of county commissioners 505  
prescribes. The clerk of courts of Hamilton county, acting as 506  
the clerk of the Hamilton county municipal court and assuming 507  
the duties of that office, shall receive compensation at one- 508  
fourth the rate that is prescribed for the clerks of courts of 509  
common pleas as determined in accordance with the population of 510  
the county and the rates set forth in sections 325.08 and 325.18 511  
of the Revised Code. This compensation shall be paid from the 512  
county treasury in semimonthly installments and is in addition 513  
to the annual compensation that is received for the performance 514  
of the duties of the clerk of courts of Hamilton county, as 515  
provided in sections 325.08 and 325.18 of the Revised Code. 516

(c) In the Portage county and Wayne county municipal 517  
courts, the clerks of courts of Portage county and Wayne county 518  
shall be the clerks, respectively, of the Portage county and 519  
Wayne county municipal courts and may appoint a chief deputy 520

clerk for each branch that is established pursuant to section 521  
1901.311 of the Revised Code and assistant clerks as the judges 522  
of the municipal court determine are necessary, all of whom 523  
shall receive the compensation that the legislative authority 524  
prescribes. The clerks of courts of Portage county and Wayne 525  
county, acting as the clerks of the Portage county and Wayne 526  
county municipal courts and assuming the duties of these 527  
offices, shall receive compensation payable from the county 528  
treasury in semimonthly installments at one-fourth the rate that 529  
is prescribed for the clerks of courts of common pleas as 530  
determined in accordance with the population of the county and 531  
the rates set forth in sections 325.08 and 325.18 of the Revised 532  
Code. 533

(d) In the Montgomery county and Miami county municipal 534  
courts, the clerks of courts of Montgomery county and Miami 535  
county shall be the clerks, respectively, of the Montgomery 536  
county and Miami county municipal courts. The clerks of courts 537  
of Montgomery county and Miami county, acting as the clerks of 538  
the Montgomery county and Miami county municipal courts and 539  
assuming the duties of these offices, shall receive compensation 540  
at one-fourth the rate that is prescribed for the clerks of 541  
courts of common pleas as determined in accordance with the 542  
population of the county and the rates set forth in sections 543  
325.08 and 325.18 of the Revised Code. This compensation shall 544  
be paid from the county treasury in semimonthly installments and 545  
is in addition to the annual compensation that is received for 546  
the performance of the duties of the clerks of courts of 547  
Montgomery county and Miami county, as provided in sections 548  
325.08 and 325.18 of the Revised Code. 549

(e) Except as otherwise provided in division (A) (1) (e) of 550  
this section, in the Akron municipal court, candidates for 551

election to the office of clerk of the court shall be nominated 552  
by primary election. The primary election shall be held on the 553  
day specified in the charter of the city of Akron for the 554  
nomination of municipal officers. Notwithstanding any contrary 555  
provision of section 3513.05 or 3513.257 of the Revised Code, 556  
the declarations of candidacy and petitions of partisan 557  
candidates and the nominating petitions of independent 558  
candidates for the office of clerk of the Akron municipal court 559  
shall be signed by at least fifty qualified electors of the 560  
territory of the court. 561

The candidates shall file a declaration of candidacy and 562  
petition, or a nominating petition, whichever is applicable, not 563  
later than four p.m. of the ninetieth day before the day of the 564  
primary election, in the form prescribed by section 3513.07 or 565  
3513.261 of the Revised Code. The declaration of candidacy and 566  
petition, or the nominating petition, shall conform to the 567  
applicable requirements of section 3513.05 or 3513.257 of the 568  
Revised Code. 569

If no valid declaration of candidacy and petition is filed 570  
by any person for nomination as a candidate of a particular 571  
political party for election to the office of clerk of the Akron 572  
municipal court, a primary election shall not be held for the 573  
purpose of nominating a candidate of that party for election to 574  
that office. If only one person files a valid declaration of 575  
candidacy and petition for nomination as a candidate of a 576  
particular political party for election to that office, a 577  
primary election shall not be held for the purpose of nominating 578  
a candidate of that party for election to that office, and the 579  
candidate shall be issued a certificate of nomination in the 580  
manner set forth in section 3513.02 of the Revised Code. 581

Declarations of candidacy and petitions, nominating 582  
petitions, and certificates of nomination for the office of 583  
clerk of the Akron municipal court shall contain a designation 584  
of the term for which the candidate seeks election. At the 585  
following regular municipal election, all candidates for the 586  
office shall be submitted to the qualified electors of the 587  
territory of the court in the manner that is provided in section 588  
1901.07 of the Revised Code for the election of the judges of 589  
the court. The clerk so elected shall hold office for a term of 590  
six years, which term shall commence on the first day of January 591  
following the clerk's election and continue until the clerk's 592  
successor is elected and qualified. 593

(f) Except as otherwise provided in division (A)(1)(f) of 594  
this section, in the Barberton municipal court, candidates for 595  
election to the office of clerk of the court shall be nominated 596  
by primary election. The primary election shall be held on the 597  
day specified in the charter of the city of Barberton for the 598  
nomination of municipal officers. Notwithstanding any contrary 599  
provision of section 3513.05 or 3513.257 of the Revised Code, 600  
the declarations of candidacy and petitions of partisan 601  
candidates and the nominating petitions of independent 602  
candidates for the office of clerk of the Barberton municipal 603  
court shall be signed by at least fifty qualified electors of 604  
the territory of the court. 605

The candidates shall file a declaration of candidacy and 606  
petition, or a nominating petition, whichever is applicable, not 607  
later than four p.m. of the ninetieth day before the day of the 608  
primary election, in the form prescribed by section 3513.07 or 609  
3513.261 of the Revised Code. The declaration of candidacy and 610  
petition, or the nominating petition, shall conform to the 611  
applicable requirements of section 3513.05 or 3513.257 of the 612

Revised Code. 613

If no valid declaration of candidacy and petition is filed 614  
by any person for nomination as a candidate of a particular 615  
political party for election to the office of clerk of the 616  
Barberton municipal court, a primary election shall not be held 617  
for the purpose of nominating a candidate of that party for 618  
election to that office. If only one person files a valid 619  
declaration of candidacy and petition for nomination as a 620  
candidate of a particular political party for election to that 621  
office, a primary election shall not be held for the purpose of 622  
nominating a candidate of that party for election to that 623  
office, and the candidate shall be issued a certificate of 624  
nomination in the manner set forth in section 3513.02 of the 625  
Revised Code. 626

Declarations of candidacy and petitions, nominating 627  
petitions, and certificates of nomination for the office of 628  
clerk of the Barberton municipal court shall contain a 629  
designation of the term for which the candidate seeks election. 630  
At the following regular municipal election, all candidates for 631  
the office shall be submitted to the qualified electors of the 632  
territory of the court in the manner that is provided in section 633  
1901.07 of the Revised Code for the election of the judges of 634  
the court. The clerk so elected shall hold office for a term of 635  
six years, which term shall commence on the first day of January 636  
following the clerk's election and continue until the clerk's 637  
successor is elected and qualified. 638

(g) (i) Through December 31, 2008, except as otherwise 639  
provided in division (A) (1) (g) (i) of this section, in the 640  
Cuyahoga Falls municipal court, candidates for election to the 641  
office of clerk of the court shall be nominated by primary 642

election. The primary election shall be held on the day 643  
specified in the charter of the city of Cuyahoga Falls for the 644  
nomination of municipal officers. Notwithstanding any contrary 645  
provision of section 3513.05 or 3513.257 of the Revised Code, 646  
the declarations of candidacy and petitions of partisan 647  
candidates and the nominating petitions of independent 648  
candidates for the office of clerk of the Cuyahoga Falls 649  
municipal court shall be signed by at least fifty qualified 650  
electors of the territory of the court. 651

The candidates shall file a declaration of candidacy and 652  
petition, or a nominating petition, whichever is applicable, not 653  
later than four p.m. of the ninetieth day before the day of the 654  
primary election, in the form prescribed by section 3513.07 or 655  
3513.261 of the Revised Code. The declaration of candidacy and 656  
petition, or the nominating petition, shall conform to the 657  
applicable requirements of section 3513.05 or 3513.257 of the 658  
Revised Code. 659

If no valid declaration of candidacy and petition is filed 660  
by any person for nomination as a candidate of a particular 661  
political party for election to the office of clerk of the 662  
Cuyahoga Falls municipal court, a primary election shall not be 663  
held for the purpose of nominating a candidate of that party for 664  
election to that office. If only one person files a valid 665  
declaration of candidacy and petition for nomination as a 666  
candidate of a particular political party for election to that 667  
office, a primary election shall not be held for the purpose of 668  
nominating a candidate of that party for election to that 669  
office, and the candidate shall be issued a certificate of 670  
nomination in the manner set forth in section 3513.02 of the 671  
Revised Code. 672

Declarations of candidacy and petitions, nominating 673  
petitions, and certificates of nomination for the office of 674  
clerk of the Cuyahoga Falls municipal court shall contain a 675  
designation of the term for which the candidate seeks election. 676  
At the following regular municipal election, all candidates for 677  
the office shall be submitted to the qualified electors of the 678  
territory of the court in the manner that is provided in section 679  
1901.07 of the Revised Code for the election of the judges of 680  
the court. The clerk so elected shall hold office for a term of 681  
six years, which term shall commence on the first day of January 682  
following the clerk's election and continue until the clerk's 683  
successor is elected and qualified. 684

(ii) Division (A) (1) (g) (i) of this section shall have no 685  
effect after December 31, 2008. 686

(h) Except as otherwise provided in division (A) (1) (h) of 687  
this section, in the Toledo municipal court, candidates for 688  
election to the office of clerk of the court shall be nominated 689  
by primary election. The primary election shall be held on the 690  
day specified in the charter of the city of Toledo for the 691  
nomination of municipal officers. Notwithstanding any contrary 692  
provision of section 3513.05 or 3513.257 of the Revised Code, 693  
the declarations of candidacy and petitions of partisan 694  
candidates and the nominating petitions of independent 695  
candidates for the office of clerk of the Toledo municipal court 696  
shall be signed by at least fifty qualified electors of the 697  
territory of the court. 698

The candidates shall file a declaration of candidacy and 699  
petition, or a nominating petition, whichever is applicable, not 700  
later than four p.m. of the ninetieth day before the day of the 701  
primary election, in the form prescribed by section 3513.07 or 702



3513.261 of the Revised Code. The declaration of candidacy and petition, or the nominating petition, shall conform to the applicable requirements of section 3513.05 or 3513.257 of the Revised Code.

If no valid declaration of candidacy and petition is filed by any person for nomination as a candidate of a particular political party for election to the office of clerk of the Toledo municipal court, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office. If only one person files a valid declaration of candidacy and petition for nomination as a candidate of a particular political party for election to that office, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office, and the candidate shall be issued a certificate of nomination in the manner set forth in section 3513.02 of the Revised Code.

Declarations of candidacy and petitions, nominating petitions, and certificates of nomination for the office of clerk of the Toledo municipal court shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, all candidates for the office shall be submitted to the qualified electors of the territory of the court in the manner that is provided in section 1901.07 of the Revised Code for the election of the judges of the court. The clerk so elected shall hold office for a term of six years, which term shall commence on the first day of January following the clerk's election and continue until the clerk's successor is elected and qualified.

(2) (a) Except for the Alliance, Auglaize county, Brown county, Columbiana county, Holmes county, Perry county, Putnam

county, Sandusky county, Lorain, Massillon, and Youngstown 733  
municipal courts, in a municipal court for which the population 734  
of the territory is less than one hundred thousand, the clerk 735  
shall be appointed by the court, and the clerk shall hold office 736  
until the clerk's successor is appointed and qualified. 737

(b) In the Alliance, Lorain, Massillon, and Youngstown 738  
municipal courts, the clerk shall be elected for a term of 739  
office as described in division (A) (1) (a) of this section. 740

(c) In the Auglaize county, Brown county, Holmes county, 741  
Perry county, Putnam county, and Sandusky county municipal 742  
courts, the clerks of courts of Auglaize county, Brown county, 743  
Holmes county, Perry county, Putnam county, and Sandusky county 744  
shall be the clerks, respectively, of the Auglaize county, Brown 745  
county, Holmes county, Perry county, Putnam county, and Sandusky 746  
county municipal courts and may appoint a chief deputy clerk for 747  
each branch office that is established pursuant to section 748  
1901.311 of the Revised Code, and assistant clerks as the judge 749  
of the court determines are necessary, all of whom shall receive 750  
the compensation that the legislative authority prescribes. The 751  
clerks of courts of Auglaize county, Brown county, Holmes 752  
county, Perry county, Putnam county, and Sandusky county, acting 753  
as the clerks of the Auglaize county, Brown county, Holmes 754  
county, Perry county, Putnam county, and Sandusky county 755  
municipal courts and assuming the duties of these offices, shall 756  
receive compensation payable from the county treasury in 757  
semimonthly installments at one-fourth the rate that is 758  
prescribed for the clerks of courts of common pleas as 759  
determined in accordance with the population of the county and 760  
the rates set forth in sections 325.08 and 325.18 of the Revised 761  
Code. 762

(d) In the Columbiana county municipal court, the clerk of courts of Columbiana county shall be the clerk of the municipal court, may appoint a chief deputy clerk for each branch office that is established pursuant to section 1901.311 of the Revised Code, and may appoint any assistant clerks that the judges of the court determine are necessary. All of the chief deputy clerks and assistant clerks shall receive the compensation that the legislative authority prescribes. The clerk of courts of Columbiana county, acting as the clerk of the Columbiana county municipal court and assuming the duties of that office, shall receive in either biweekly installments or semimonthly installments, as determined by the payroll administrator, compensation payable from the county treasury at one-fourth the rate that is prescribed for the clerks of courts of common pleas as determined in accordance with the population of the county and the rates set forth in sections 325.08 and 325.18 of the Revised Code.

(3) During the temporary absence of the clerk due to illness, vacation, or other proper cause, the court may appoint a temporary clerk, who shall be paid the same compensation, have the same authority, and perform the same duties as the clerk.

(B) Except in the Hamilton county, Montgomery county, Miami county, Portage county, and Wayne county municipal courts, if a vacancy occurs in the office of the clerk of the Alliance, Lorain, Massillon, or Youngstown municipal court or occurs in the office of the clerk of a municipal court for which the population of the territory equals or exceeds one hundred thousand because the clerk ceases to hold the office before the end of the clerk's term or because a clerk-elect fails to take office, the vacancy shall be filled, until a successor is elected and qualified, by a person chosen by the residents of

the territory of the court who are members of the county central 794  
committee of the political party by which the last occupant of 795  
that office or the clerk-elect was nominated. Not less than five 796  
nor more than fifteen days after a vacancy occurs, those members 797  
of that county central committee shall meet to make an 798  
appointment to fill the vacancy. At least four days before the 799  
date of the meeting, the chairperson or a secretary of the 800  
county central committee shall notify each such member of that 801  
county central committee by first class mail of the date, time, 802  
and place of the meeting and its purpose. A majority of all such 803  
members of that county central committee constitutes a quorum, 804  
and a majority of the quorum is required to make the 805  
appointment. If the office so vacated was occupied or was to be 806  
occupied by a person not nominated at a primary election, or if 807  
the appointment was not made by the committee members in 808  
accordance with this division, the court shall make an 809  
appointment to fill the vacancy. A successor shall be elected to 810  
fill the office for the unexpired term at the first municipal 811  
election that is held more than one hundred thirty-five days 812  
after the vacancy occurred. 813

(C) (1) In a municipal court, other than the Auglaize 814  
county, the Brown county, the Columbiana county, the Holmes 815  
county, the Perry county, the Putnam county, the Sandusky 816  
county, and the Lorain municipal courts, for which the 817  
population of the territory is less than one hundred thousand, 818  
the clerk of the municipal court shall receive the annual 819  
compensation that the presiding judge of the court prescribes, 820  
if the revenue of the court for the preceding calendar year, as 821  
certified by the auditor or chief fiscal officer of the 822  
municipal corporation in which the court is located or, in the 823  
case of a county-operated municipal court, the county auditor, 824

is equal to or greater than the expenditures, including any debt 825  
charges, for the operation of the court payable under this 826  
chapter from the city treasury or, in the case of a county- 827  
operated municipal court, the county treasury for that calendar 828  
year, as also certified by the auditor or chief fiscal officer. 829  
If the revenue of a municipal court, other than the Auglaize 830  
county, the Brown county, the Columbiana county, the Perry 831  
county, the Putnam county, the Sandusky county, and the Lorain 832  
municipal courts, for which the population of the territory is 833  
less than one hundred thousand for the preceding calendar year 834  
as so certified is not equal to or greater than those 835  
expenditures for the operation of the court for that calendar 836  
year as so certified, the clerk of a municipal court shall 837  
receive the annual compensation that the legislative authority 838  
prescribes. As used in this division, "revenue" means the total 839  
of all costs and fees that are collected and paid to the city 840  
treasury or, in a county-operated municipal court, the county 841  
treasury by the clerk of the municipal court under division (F) 842  
of this section and all interest received and paid to the city 843  
treasury or, in a county-operated municipal court, the county 844  
treasury in relation to the costs and fees under division (G) of 845  
this section. 846

(2) In a municipal court, other than the Hamilton county, 847  
Montgomery county, Miami county, Portage county, and Wayne 848  
county municipal courts, for which the population of the 849  
territory is one hundred thousand or more, and in the Lorain 850  
municipal court, the clerk of the municipal court shall receive 851  
annual compensation in a sum equal to eighty-five per cent of 852  
the salary of a judge of the court. 853

(3) The compensation of a clerk described in division (C) 854  
(1) or (2) of this section and of the clerk of the Columbiana 855

county municipal court is payable in either semimonthly 856  
installments or biweekly installments, as determined by the 857  
payroll administrator, from the same sources and in the same 858  
manner as provided in section 1901.11 of the Revised Code, 859  
except that the compensation of the clerk of the Carroll county 860  
municipal court is payable in biweekly installments. 861

(D) Before entering upon the duties of the clerk's office, 862  
the clerk of a municipal court shall give bond of not less than 863  
six thousand dollars to be determined by the judges of the 864  
court, conditioned upon the faithful performance of the clerk's 865  
duties. 866

(E) The clerk of a municipal court may do all of the 867  
following: administer oaths, take affidavits, and issue 868  
executions upon any judgment rendered in the court, including a 869  
judgment for unpaid costs; issue, sign, and attach the seal of 870  
the court to all writs, process, subpoenas, and papers issuing 871  
out of the court; and approve all bonds, sureties, 872  
recognizances, and undertakings fixed by any judge of the court 873  
or by law. The clerk may refuse to accept for filing any 874  
pleading or paper submitted for filing by a person who has been 875  
found to be a vexatious litigator under section 2323.52 of the 876  
Revised Code and who has failed to obtain leave to proceed under 877  
that section. The clerk shall do all of the following: file and 878  
safely keep all journals, records, books, and papers belonging 879  
or appertaining to the court; record the proceedings of the 880  
court; perform all other duties that the judges of the court may 881  
prescribe; and keep a book showing all receipts and 882  
disbursements, which book shall be open for public inspection at 883  
all times. 884

The clerk shall prepare and maintain a general index, a 885

docket, and other records that the court, by rule, requires, all 886  
of which shall be the public records of the court. In the 887  
docket, the clerk shall enter, at the time of the commencement 888  
of an action, the names of the parties in full, the names of the 889  
counsel, and the nature of the proceedings. Under proper dates, 890  
the clerk shall note the filing of the complaint, issuing of 891  
summons or other process, returns, and any subsequent pleadings. 892  
The clerk also shall enter all reports, verdicts, orders, 893  
judgments, and proceedings of the court, clearly specifying the 894  
relief granted or orders made in each action. The court may 895  
order an extended record of any of the above to be made and 896  
entered, under the proper action heading, upon the docket at the 897  
request of any party to the case, the expense of which record 898  
may be taxed as costs in the case or may be required to be 899  
prepaid by the party demanding the record, upon order of the 900  
court. 901

(F) The clerk of a municipal court shall receive, collect, 902  
and issue receipts for all costs, fees, fines, ~~bail~~monetary 903  
bonds, and other moneys payable to the office or to any officer 904  
of the court. The clerk shall on or before the twentieth day of 905  
the month following the month in which they are collected 906  
disburse to the proper persons or officers, and take receipts 907  
for, all costs, fees, fines, ~~bail~~monetary bonds, and other 908  
moneys that the clerk collects. Subject to sections 307.515 and 909  
4511.193 of the Revised Code and to any other section of the 910  
Revised Code that requires a specific manner of disbursement of 911  
any moneys received by a municipal court and except for the 912  
Hamilton county, Lawrence county, and Ottawa county municipal 913  
courts, the clerk shall pay all fines received for violation of 914  
municipal ordinances into the treasury of the municipal 915  
corporation the ordinance of which was violated and shall pay 916

all fines received for violation of township resolutions adopted 917  
pursuant to section 503.52 or 503.53 or Chapter 504. of the 918  
Revised Code into the treasury of the township the resolution of 919  
which was violated. Subject to sections 1901.024 and 4511.193 of 920  
the Revised Code, in the Hamilton county, Lawrence county, and 921  
Ottawa county municipal courts, the clerk shall pay fifty per 922  
cent of the fines received for violation of municipal ordinances 923  
and fifty per cent of the fines received for violation of 924  
township resolutions adopted pursuant to section 503.52 or 925  
503.53 or Chapter 504. of the Revised Code into the treasury of 926  
the county. Subject to sections 307.515, 4511.19, and 5503.04 of 927  
the Revised Code and to any other section of the Revised Code 928  
that requires a specific manner of disbursement of any moneys 929  
received by a municipal court, the clerk shall pay all fines 930  
collected for the violation of state laws into the county 931  
treasury. Except in a county-operated municipal court, the clerk 932  
shall pay all costs and fees the disbursement of which is not 933  
otherwise provided for in the Revised Code into the city 934  
treasury. The clerk of a county-operated municipal court shall 935  
pay the costs and fees the disbursement of which is not 936  
otherwise provided for in the Revised Code into the county 937  
treasury. Moneys deposited as security for costs shall be 938  
retained pending the litigation. The clerk shall keep a separate 939  
account of all receipts and disbursements in civil and criminal 940  
cases, which shall be a permanent public record of the office. 941  
On the expiration of the term of the clerk, the clerk shall 942  
deliver the records to the clerk's successor. The clerk shall 943  
have other powers and duties as are prescribed by rule or order 944  
of the court. 945

(G) All moneys paid into a municipal court shall be noted 946  
on the record of the case in which they are paid and shall be 947



deposited in a state or national bank, as defined in section 948  
1101.01 of the Revised Code, that is selected by the clerk. Any 949  
interest received upon the deposits shall be paid into the city 950  
treasury, except that, in a county-operated municipal court, the 951  
interest shall be paid into the treasury of the county in which 952  
the court is located. 953

On the first Monday in January of each year, the clerk 954  
shall make a list of the titles of all cases in the court that 955  
were finally determined more than one year past in which there 956  
remains unclaimed in the possession of the clerk any funds, or 957  
any part of a deposit for security of costs not consumed by the 958  
costs in the case. The clerk shall give notice of the moneys to 959  
the parties who are entitled to the moneys or to their attorneys 960  
of record. All the moneys remaining unclaimed on the first day 961  
of April of each year shall be paid by the clerk to the city 962  
treasurer, except that, in a county-operated municipal court, 963  
the moneys shall be paid to the treasurer of the county in which 964  
the court is located. The treasurer shall pay any part of the 965  
moneys at any time to the person who has the right to the moneys 966  
upon proper certification of the clerk. 967

(H) Deputy clerks of a municipal court other than the 968  
Carroll county municipal court may be appointed by the clerk and 969  
shall receive the compensation, payable in either biweekly 970  
installments or semimonthly installments, as determined by the 971  
payroll administrator, out of the city treasury, that the clerk 972  
may prescribe, except that the compensation of any deputy clerk 973  
of a county-operated municipal court shall be paid out of the 974  
treasury of the county in which the court is located. The judge 975  
of the Carroll county municipal court may appoint deputy clerks 976  
for the court, and the deputy clerks shall receive the 977  
compensation, payable in biweekly installments out of the county 978

treasury, that the judge may prescribe. Each deputy clerk shall 979  
take an oath of office before entering upon the duties of the 980  
deputy clerk's office and, when so qualified, may perform the 981  
duties appertaining to the office of the clerk. The clerk may 982  
require any of the deputy clerks to give bond of not less than 983  
three thousand dollars, conditioned for the faithful performance 984  
of the deputy clerk's duties. 985

(I) For the purposes of this section, whenever the 986  
population of the territory of a municipal court falls below one 987  
hundred thousand but not below ninety thousand, and the 988  
population of the territory prior to the most recent regular 989  
federal census exceeded one hundred thousand, the legislative 990  
authority of the municipal corporation may declare, by 991  
resolution, that the territory shall be considered to have a 992  
population of at least one hundred thousand. 993

(J) The clerk or a deputy clerk shall be in attendance at 994  
all sessions of the municipal court, although not necessarily in 995  
the courtroom, and may administer oaths to witnesses and jurors 996  
and receive verdicts. 997

(K) As used in this section, "monetary bond" has the same 998  
meaning as in section 2937.01 of the Revised Code. 999

**Sec. 1907.20.** (A) The clerk of courts shall be the clerk 1000  
of the county court, except that the board of county 1001  
commissioners, with the concurrence of the county court judges, 1002  
may appoint a clerk for each county court judge, who shall serve 1003  
at the pleasure of the board and shall receive compensation as 1004  
set by the board, payable in semimonthly installments from the 1005  
treasury of the county. Except as otherwise provided in section 1006  
3.061 of the Revised Code, an appointed clerk, before entering 1007  
upon the duties of the office, shall give bond of not less than 1008

five thousand dollars, as determined by the board of county 1009  
commissioners, conditioned upon the faithful performance of the 1010  
clerk's duties. 1011

The clerks of courts of common pleas, when acting as the 1012  
clerks of county courts, and upon assuming their county court 1013  
duties, shall receive compensation at one-fourth the rate 1014  
prescribed for the clerks of courts of common pleas as 1015  
determined in accordance with the population of the county and 1016  
the rates set forth in sections 325.08 and 325.18 of the Revised 1017  
Code. This compensation shall be paid from the county treasury 1018  
in semimonthly installments and is in addition to the annual 1019  
compensation received for the performance of the duties of the 1020  
clerk of a court of common pleas as provided in sections 325.08 1021  
and 325.18 of the Revised Code. 1022

(B) The clerk of a county court shall have general powers 1023  
to administer oaths, take affidavits, and issue executions upon 1024  
any judgment rendered in the county court, including a judgment 1025  
for unpaid costs, power to issue and sign all writs, process, 1026  
subpoenas, and papers issuing out of the court, and to attach 1027  
the seal of the court to them, and power to approve all bonds, 1028  
sureties, recognizances, and undertakings fixed by any judge of 1029  
the court or by law. The clerk shall file and safely keep all 1030  
journals, records, books, and papers belonging or appertaining 1031  
to the court, record its proceedings, perform all other duties 1032  
that the judges of the court may prescribe, and keep a book 1033  
showing all receipts and disbursements, which shall be open for 1034  
public inspection at all times. The clerk may refuse to accept 1035  
for filing any pleading or paper submitted for filing by a 1036  
person who has been found to be a vexatious litigator under 1037  
section 2323.52 of the Revised Code and who has failed to obtain 1038  
leave to proceed under that section. 1039

The clerk shall prepare and maintain a general index, a 1040  
docket as prescribed by the court, which shall be furnished by 1041  
the board of county commissioners, and such other records as the 1042  
court, by rule, requires, all of which shall be the public 1043  
records of the court. In the docket, the clerk shall enter at 1044  
times of the commencement of an action, the names of the parties 1045  
in full, the names of the counsel, and the nature of the 1046  
proceedings. Under proper dates, the clerk shall note the filing 1047  
of the complaint, issuing of summons or other process, returns, 1048  
and pleadings subsequent thereto. The clerk also shall enter all 1049  
reports, verdicts, orders, judgments, and proceedings of the 1050  
court, clearly specifying the relief granted or orders made in 1051  
each action. The court may order an extended record of any of 1052  
the above to be made and entered, under the proper action 1053  
heading, upon the docket at the request of any party to the 1054  
case, the expense of which may be taxed as costs in the case or 1055  
may be required to be prepaid by the party demanding the 1056  
extended record, upon order of the court. 1057

(C) The clerk of a county court shall receive and collect 1058  
all costs, fees, fines, penalties, ~~bail~~monetary bonds, and other 1059  
moneys payable to the office or to any officer of the court and 1060  
issue receipts therefor, and shall on or before the twentieth 1061  
day of the month following the month in which they are collected 1062  
disburse the costs, fees, fines, penalties, ~~bail~~monetary bonds, 1063  
and other moneys to the proper persons or officers and take 1064  
receipts therefor. Subject to sections 307.515, 4511.19, 1065  
4511.193, and 5503.04 of the Revised Code and all other statutes 1066  
that require a different distribution of fines, fines received 1067  
for violations of municipal ordinances shall be paid into the 1068  
treasury of the municipal corporation whose ordinance was 1069  
violated, fines received for violations of township resolutions 1070

adopted pursuant to section 503.52 or 503.53 or Chapter 504. of 1071  
the Revised Code shall be paid into the treasury of the township 1072  
whose resolution was violated, and fines collected for the 1073  
violation of state laws shall be paid into the county treasury. 1074  
Moneys deposited as security for costs shall be retained pending 1075  
the litigation. 1076

The clerk shall keep a separate account of all receipts 1077  
and disbursements in civil and criminal cases. The separate 1078  
account shall be a permanent public record of the office. On the 1079  
expiration of a clerk's term, those records shall be delivered 1080  
to the clerk's successor. 1081

The clerk shall have such other powers and duties as are 1082  
prescribed by rule or order of the court. 1083

(D) All moneys paid into a county court shall be noted on 1084  
the record of the case in which they are paid and shall be 1085  
deposited in a state or national bank selected by the clerk. On 1086  
the first Monday in January of each year, the clerk shall make a 1087  
list of the titles of all cases in the county court that were 1088  
finally determined more than one year past in which there 1089  
remains unclaimed in the possession of the clerk any funds, or 1090  
any part of a deposit for security of costs not consumed by the 1091  
costs in the case. The clerk shall give notice of the moneys to 1092  
the parties entitled to them or to their attorneys of record. 1093  
All the moneys remaining unclaimed on the first day of April of 1094  
each year shall be paid by the clerk to the county treasurer. 1095  
Any part of the moneys shall be paid by the county treasurer at 1096  
any time to the person having the right to them, upon proper 1097  
certification of the clerk. 1098

(E) (1) In county court districts having appointed clerks, 1099  
deputy clerks may be appointed by the board of county 1100

commissioners. Clerks and deputy clerks shall receive such 1101  
compensation payable in semimonthly installments out of the 1102  
county treasury as the board may prescribe. Each deputy clerk 1103  
shall take an oath of office before entering upon the duties of 1104  
the deputy clerk's office and, when so qualified, may perform 1105  
the duties appertaining to the office of the clerk. The clerk 1106  
may require any of the deputy clerks to give bond of not less 1107  
than three thousand dollars, conditioned for the faithful 1108  
performance of the deputy clerk's duties. 1109

(2) A clerk of courts acting as clerk of the county court 1110  
may appoint deputy clerks to perform the duties pertaining to 1111  
the office of clerk of the county court. Each deputy clerk shall 1112  
take an oath of office before entering upon the deputy clerk's 1113  
duties, and the clerk of courts may require the deputy clerk to 1114  
give bond of not less than three thousand dollars, conditioned 1115  
for the faithful performance of the deputy clerk's duties. 1116

(3) The clerk or a deputy clerk of a county court shall be 1117  
in attendance at all sessions of the court, although not 1118  
necessarily in the courtroom, and may administer oaths to 1119  
witnesses and jurors and receive verdicts. 1120

(F) (1) In county court districts having appointed clerks, 1121  
the board of county commissioners may order the establishment of 1122  
one or more branch offices of the clerk and, with the 1123  
concurrence of the county judges, may appoint a special deputy 1124  
clerk to administer each branch office. Each special deputy 1125  
clerk shall take an oath of office before entering upon the 1126  
duties of the deputy clerk's office and, when so qualified, may 1127  
perform any one or more of the duties appertaining to the office 1128  
of clerk, as the board prescribes. Special deputy clerks shall 1129  
receive such compensation payable in semimonthly installments 1130

out of the county treasury as the board may prescribe. Except as 1131  
otherwise provided in section 3.061 of the Revised Code, the 1132  
board may require any of the special deputy clerks to give bond 1133  
of not less than three thousand dollars, conditioned for the 1134  
faithful performance of the deputy clerk's duties. 1135

The board of county commissioners may authorize the clerk 1136  
of the county court to operate one or more branch offices, to 1137  
divide the clerk's time between the offices, and to perform 1138  
duties appertaining to the office of clerk in locations that the 1139  
board prescribes. 1140

(2) A clerk of courts acting as clerk of the county court 1141  
may establish one or more branch offices for the clerk's duties 1142  
as clerk of the county court and, with the concurrence of the 1143  
county court judges, may appoint a special deputy clerk to 1144  
administer each branch office. Each special deputy clerk shall 1145  
take an oath of office before entering upon the deputy clerk's 1146  
duties and, when so qualified, may perform any of the duties 1147  
pertaining to the office of clerk, as the clerk of courts 1148  
prescribes. The clerk of courts may require any of the special 1149  
deputy clerks to give bond of not less than three thousand 1150  
dollars, conditioned for the faithful performance of the deputy 1151  
clerk's duties. 1152

(G) The clerk of courts of the county shall fix the 1153  
compensation of deputy clerks and special deputy clerks 1154  
appointed by the clerk pursuant to this section. Those personnel 1155  
shall be paid and be subject to the same requirements as other 1156  
employees of the clerk under the provisions of section 325.17 of 1157  
the Revised Code insofar as that section is applicable. 1158

(H) As used in this section, "monetary bond" has the same 1159  
meaning as in section 2937.01 of the Revised Code. 1160

**Sec. 1907.32.** (A) A defendant in a civil action in a 1161  
county court may be arrested under the circumstances and in the 1162  
manner specified in Chapter 2713. of the Revised Code for 1163  
arrests of defendants in the courts of common pleas, but 1164  
references in that chapter to a county sheriff shall be 1165  
construed to include constables who are ministerial officers of 1166  
a county court. ~~The bail and deposit of money in lieu of bail-~~ 1167  
~~monetary bond~~ provisions of that chapter also shall apply to 1168  
defendants in a county court. 1169

(B) As used in this section, "monetary bond" has the same 1170  
meaning as in section 2937.01 of the Revised Code. 1171

**Sec. 2329.54.** (A) When judgment is rendered in a court of 1172  
record in this state upon an instrument in writing in which two 1173  
or more persons are jointly or severally bound, and it appears 1174  
to the court, by parol or other testimony, that one or more of 1175  
the persons so bound signed it as surety or ~~bail~~monetary bond 1176  
for ~~his~~a codefendant, the clerk of such court, in recording the 1177  
judgment thereon, must certify which of the defendants is 1178  
principal debtor and which is the surety or ~~bail~~monetary bond. 1179  
Such clerk shall issue execution on such judgment, commanding 1180  
the officer to levy on the goods, chattels, lands, and 1181  
tenements, of the principal debtor, or, for want of sufficient 1182  
property of ~~his~~the principal debtor to make it, to levy on the 1183  
goods, chattels, lands, and tenements, of the surety or 1184  
~~bail~~monetary bond. The property, personal and real, of the 1185  
principal debtor, within the jurisdiction of the court, shall be 1186  
exhausted before any of the property of the surety or ~~bail~~ 1187  
monetary bond is taken in execution. 1188

(B) As used in this section, "monetary bond" has the same 1189  
meaning as in section 2937.01 of the Revised Code. 1190



**Sec. 2713.05.** (A) With a copy of the affidavit, the order 1191  
of arrest provided for by section 2713.02 of the Revised Code 1192  
shall be addressed and delivered to the sheriff, and must 1193  
specify the names of the parties, the court in which the action 1194  
is brought, the amount of the plaintiff's claim stated in the 1195  
affidavit, and require the sheriff to arrest the defendant, ~~hold~~ 1196  
~~him in bail~~ require the defendant to pay a monetary bond in 1197  
double that sum, and to make return thereof on a day to be named 1198  
therein, with the monetary bond ~~of the bail~~, if any is given. 1199

(B) As used in this section, "monetary bond" has the same 1200  
meaning as in section 2937.01 of the Revised Code. 1201

**Sec. 2713.09.** (A) Before or after giving ~~bail~~ a monetary 1202  
bond, the defendant may deposit with the sheriff, or in court, 1203  
the amount specified in the order of arrest issued pursuant to 1204  
section 2713.02 of the Revised Code; whereupon the defendant 1205  
must be discharged, or ~~his bail~~ the defendant's monetary bond be 1206  
released. 1207

(B) As used in this section, "monetary bond" has the same 1208  
meaning as in section 2937.01 of the Revised Code. 1209

**Sec. 2713.10.** (A) The sheriff shall pay into court the 1210  
money received by ~~him~~ the sheriff in lieu of ~~bail~~ a monetary 1211  
bond under section 2713.09 of the Revised Code. If it is 1212  
received in vacation, ~~he~~ the sheriff shall pay it on the first 1213  
day of the next term; if received during the term, immediately. 1214

(B) As used in this section, "monetary bond" has the same 1215  
meaning as in section 2937.01 of the Revised Code. 1216

**Sec. 2713.11.** (A) The court shall make proper orders for 1217  
the safekeeping of money deposited in lieu of ~~bail~~ a monetary 1218  
bond under section 2713.09 of the Revised Code, and may direct 1219

the sheriff to keep it, and after final judgment in the action 1220  
shall order it to be paid to the party entitled to it according 1221  
to the result. 1222

(B) As used in this section, "monetary bond" has the same 1223  
meaning as in section 2937.01 of the Revised Code. 1224

**Sec. 2713.13.** ~~Bail~~ (A) A monetary bond may be given by the 1225  
defendant ~~on his~~ upon arrest under section 2713.07 of the 1226  
Revised Code, or afterward, before judgment. It shall be done by 1227  
~~causing~~ executing a sufficient bail to execute a monetary bond 1228  
to the plaintiff, in the presence of the sheriff, to the effect 1229  
that, if judgment is rendered in the action against the 1230  
defendant, such ~~bail~~ monetary bond will be amenable to the 1231  
process of the court thereon. The bond, when accepted, shall be 1232  
returned to the clerk's office, and the defendant shall be 1233  
discharged. 1234

(B) As used in this section, "monetary bond" has the same 1235  
meaning as in section 2937.01 of the Revised Code. 1236

**Sec. 2713.14.** (A) The plaintiff, or his ~~the plaintiff's~~ 1237  
attorney, may object to the ~~bail~~ monetary bond provided under 1238  
section 2713.13 of the Revised Code, for insufficiency, within 1239  
ten days after the bond is given, by serving upon the sheriff a 1240  
written notice that ~~he~~ the plaintiff does not accept the 1241  
~~bail~~ monetary bond. Failure to serve such notice shall be deemed 1242  
an acceptance of the ~~bail~~ monetary bond, and the sheriff is 1243  
exonerated from liability. When the bond is given after the 1244  
return of the order of arrest, the plaintiff shall have notice 1245  
thereof. 1246

(B) As used in this section, "monetary bond" has the same 1247  
meaning as in section 2937.01 of the Revised Code. 1248

**Sec. 2713.15.** (A) Within ten days after receipt of the 1249  
notice provided for by section 2713.14 of the Revised Code, the 1250  
sheriff or the defendant may give to the plaintiff, or ~~his~~the 1251  
plaintiff's attorney, notice in writing of the justification of 1252  
the same or ~~other bail~~a secured bond before a judge or clerk of 1253  
the court in which the action is brought, a probate judge, or 1254  
judge of a county court, at a time, not less than five nor more 1255  
than ten days thereafter, and a place to be specified therein. 1256  
If ~~other bail~~a secured bond is given, a new bond must be 1257  
executed. 1258

(B) As used in this section, "secured bond" has the same 1259  
meaning as in section 2937.01 of the Revised Code. 1260

**Sec. 2713.16.** (A) For the purpose of justification, each 1261  
of the ~~bail~~sureties must attend before the proper officer, at 1262  
the time and place mentioned in the notice of justification 1263  
provided for by section 2713.15 of the Revised Code, and may be 1264  
examined on oath touching ~~his~~the sureties sufficiency, in such 1265  
manner as the officer deems proper. 1266

If the officer finds the ~~bail~~sureties sufficient, ~~he~~the 1267  
officer shall indorse ~~his~~the officer's allowance on the bond 1268  
and file it with the clerk of the court; and the sheriff 1269  
thereupon shall be discharged from liability. 1270

(B) As used in this section, "sureties" has the same 1271  
meaning as in section 2937.01 of the Revised Code. 1272

**Sec. 2713.17.** (A) After the arrest of the defendant 1273  
pursuant to section 2713.07 of the Revised Code, if ~~he~~the 1274  
defendant escapes or is rescued, or ~~bail~~a monetary bond is not 1275  
taken or is adjudged insufficient, or a deposit is not made, the 1276  
sheriff shall be liable as ~~bail~~surety; but ~~he~~the sheriff may 1277

discharge ~~himself-self~~ from liability by putting in sufficient 1278  
~~bail-surety~~ before judgment. 1279

(B) As used in this section, "monetary bond" and "surety" 1280  
have the same meanings as in section 2937.01 of the Revised 1281  
Code. 1282

**Sec. 2713.18.** (A) The return of "not found" upon an 1283  
execution against the body of the defendant is necessary to fix 1284  
the liability of the sheriff as ~~bail-surety~~, which liability 1285  
shall be the amount of the judgment, interest, and costs. This 1286  
liability can be enforced only in a separate action against the 1287  
sheriff, or against ~~him-the sheriff~~ and ~~his-the sheriff's~~ 1288  
sureties on ~~his-the sheriff's~~ official bond, as in other cases 1289  
of delinquency. 1290

(B) As used in this section, "surety" has the same meaning 1291  
as in section 2937.01 of the Revised Code. 1292

**Sec. 2713.19.** (A) The ~~bail-surety~~ adjudged insufficient by 1293  
an officer mentioned in section 2713.15 of the Revised Code 1294  
shall be liable to the sheriff for the damages ~~he-the sheriff~~ 1295  
sustains by reason of such insufficiency. 1296

(B) As used in this section, "surety" has the same meaning 1297  
as in section 2937.01 of the Revised Code. 1298

**Sec. 2713.20.** (A) The liability of the ~~bail-surety~~ shall 1299  
be fixed in the manner provided by law for fixing the liability 1300  
of the sheriff as ~~bail-surety~~. The ~~bail-surety~~ can be proceeded 1301  
against in an action only. 1302

(B) As used in this section, "surety" has the same meaning 1303  
as in section 2937.01 of the Revised Code. 1304

**Sec. 2713.21.** (A) A surrender of a defendant to the 1305

sheriff of the county in which ~~he~~the defendant was arrested, 1306  
with a delivery of a certified copy of the bond of the 1307  
~~bail~~surety, whether such surrender is made by the defendant 1308  
~~himself personally~~ or by ~~his bail~~the defendant's surety, 1309  
discharges the ~~bail~~surety. A surrender may be made before the 1310  
return day of the summons in an action against the ~~bail~~surety. 1311  
The sheriff shall give to the ~~bail~~surety a written 1312  
acknowledgment of the surrender, and hold the defendant in ~~his~~ 1313  
custody upon such copy of the bond of the ~~bail~~surety as upon an 1314  
order of arrest. The clerk of the court, on the production to 1315  
~~him~~the clerk of the sheriff's acknowledgment of the surrender, 1316  
shall enter on the bond an exoneration of the ~~bail~~surety. 1317

(B) As used in this section, "surety" has the same meaning 1318  
as in section 2937.01 of the Revised Code. 1319

**Sec. 2713.22.** (A) For the purpose of surrendering the 1320  
defendant, the ~~bail~~surety may arrest ~~him~~the defendant at any 1321  
time or place before ~~he~~the defendant is finally charged, or, by 1322  
a written authority indorsed on a certified copy of the bond, 1323  
may empower any person of suitable age and discretion to do so. 1324

(B) As used in this section, "surety" has the same meaning 1325  
as in section 2937.01 of the Revised Code. 1326

**Sec. 2713.23.** (A) The ~~bail~~surety shall be exonerated by 1327  
the death of the defendant, ~~his~~the defendant's imprisonment in 1328  
a state prison, ~~his~~the defendant's legal discharge from the 1329  
obligation to render ~~himself~~self amenable to the process of the 1330  
court, or by ~~his~~the defendant's surrender to the sheriff of the 1331  
county in which ~~he~~the defendant was arrested in the execution 1332  
of such process, within the time fixed in section 2713.21 of the 1333  
Revised Code, or within such further time as the court in which 1334  
the action is pending allows. 1335

(B) As used in this section, "surety" has the same meaning 1336  
as in section 2937.01 of the Revised Code. 1337

**Sec. 2713.24.** (A) If the defendant deposits money as 1338  
provided by section 2713.09 of the Revised Code, on notice such 1339  
as is required for giving and justifying it, ~~bail-surety~~ may be 1340  
given and justified any time before judgment. Thereupon the 1341  
court in which the action is brought, on being satisfied that 1342  
~~bail-surety~~ has been given and adjudged sufficient, shall direct 1343  
that the money deposited be refunded to the defendant, and it 1344  
must be refunded accordingly. 1345

(B) As used in this section, "surety" has the same meaning 1346  
as in section 2937.01 of the Revised Code. 1347

**Sec. 2713.25.** (A) Before or after judgment against the 1348  
~~bail-surety~~, if an appeal is commenced on the judgment against 1349  
the principal in the suit in which their bond was taken, on 1350  
motion the court may stay proceedings against such ~~bail-surety~~ 1351  
for a reasonable time, on their payment of all costs accrued 1352  
against them. On such appeal, if the judgment against the 1353  
principal is reversed, and ~~he-the principal~~ is discharged from 1354  
such suit, the ~~bail-surety~~ must be discharged from the bond. 1355

(B) As used in this section, "surety" has the same meaning 1356  
as in section 2937.01 of the Revised Code. 1357

**Sec. 2713.26.** (A) A defendant who is arrested, on motion, 1358  
at any time before judgment in the action, may apply to the 1359  
court in which suit is brought, if in session, and, in vacation, 1360  
to a judge thereof, or to any judge of a court of record of the 1361  
state, to vacate the order of arrest or to reduce the amount of 1362  
the ~~bail~~monetary bond. The court or judge shall allow ~~him-the~~ 1363  
defendant such time for preparation and the hearing of the 1364

motion as is just. Reasonable notice of such motion must be 1365  
given to the plaintiff. 1366

(B) As used in this section, "monetary bond" has the same 1367  
meaning as in section 2937.01 of the Revised Code. 1368

**Sec. 2715.25.** (A) The court may make proper orders for the 1369  
preservation of property attached during the pendency of a suit 1370  
and direct a sale of it when, because of its perishable nature 1371  
or the costs of its keeping, that will be for the benefit of the 1372  
parties. The sale shall be public, after such advertisement as 1373  
is prescribed for the sale of like property on execution, and 1374  
shall be made in such manner and on such terms of credit, with 1375  
security, as, having regard to the probable duration of the 1376  
action, the court or judge directs. The sheriff shall hold and 1377  
pay over all proceeds of the sale collected by ~~him~~ the sheriff 1378  
and all money received by ~~him~~ the sheriff from garnishees under 1379  
the same requirements and responsibilities of ~~himself~~ the 1380  
sheriff and sureties as are provided in respect to money 1381  
deposited ~~in lieu of bail~~ as bond. 1382

(B) As used in this section, "bond" has the same meaning 1383  
as in section 2937.01 of the Revised Code. 1384

**Sec. 2725.18.** When the person brought before a judge under 1385  
section 2725.12 of the Revised Code is confined or detained in a 1386  
legal manner on a charge of having committed a crime or offense 1387  
which is bailable, the judge may recommit ~~him~~ the person or let 1388  
~~him~~ the person to bail. If such person is let to bail, the judge 1389  
shall require ~~him~~ the person to enter into a recognizance, with 1390  
sufficient surety, ~~in such which may include a sum as the judge~~ 1391  
~~finds reasonable, after considering the circumstances of the~~ 1392  
~~prisoner and the nature of the offense charged, and conditioned~~ 1393  
~~for his appearance at the court where the offense is properly~~ 1394

~~recognizable~~ set pursuant to section 2937.015 of the Revised Code. 1395  
The judge forthwith shall certify ~~his~~ the proceedings, together 1396  
with any recognizance, to the proper court. If the person 1397  
charged fails to give such recognizance, ~~he~~ the person shall be 1398  
committed to prison by the judge. 1399

**Sec. 2743.70.** (A) (1) The court, in which any person is 1400  
convicted of or pleads guilty to any offense other than a 1401  
traffic offense that is not a moving violation, shall impose the 1402  
following sum as costs in the case in addition to any other 1403  
court costs that the court is required by law to impose upon the 1404  
offender: 1405

(a) Thirty dollars, if the offense is a felony; 1406

(b) Nine dollars, if the offense is a misdemeanor. 1407

The court shall not waive the payment of the ~~thirty-~~ 1408  
~~thirty-~~ or ~~nine-dollars-nine-dollar~~ court ~~costs~~ cost, unless the 1409  
court determines that the offender is indigent and waives the 1410  
payment of all court costs imposed upon the indigent offender. 1411  
All such moneys shall be transmitted on the first business day 1412  
of each month by the clerk of the court to the treasurer of 1413  
state and deposited by the treasurer in the reparations fund. 1414

(2) The juvenile court in which a child is found to be a 1415  
delinquent child or a juvenile traffic offender for an act 1416  
which, if committed by an adult, would be an offense other than 1417  
a traffic offense that is not a moving violation, shall impose 1418  
the following sum as costs in the case in addition to any other 1419  
court costs that the court is required or permitted by law to 1420  
impose upon the delinquent child or juvenile traffic offender: 1421

(a) Thirty dollars, if the act, if committed by an adult, 1422  
would be a felony; 1423



(b) Nine dollars, if the act, if committed by an adult, 1424  
would be a misdemeanor. 1425

The ~~thirty-thirty-~~ or ~~nine dollars-nine-dollar~~ court ~~costs-~~ 1426  
~~cost~~ shall be collected in all cases unless the court determines 1427  
the juvenile is indigent and waives the payment of all court 1428  
costs, or enters an order on its journal stating that it has 1429  
determined that the juvenile is indigent, that no other court 1430  
costs are to be taxed in the case, and that the payment of the 1431  
~~thirty-thirty-~~ or ~~nine dollars-nine-dollar~~ court ~~costs-~~ cost is 1432  
waived. All such moneys collected during a month shall be 1433  
transmitted on or before the twentieth day of the following 1434  
month by the clerk of the court to the treasurer of state and 1435  
deposited by the treasurer in the reparations fund. 1436

(B) Whenever a person is charged with any offense other 1437  
than a traffic offense that is not a moving violation and posts 1438  
~~bail-a monetary bond pursuant to sections 2937.22 to 2937.46-~~ 1439  
section 2937.014 of the Revised Code, Criminal Rule 46, or 1440  
Traffic Rule 4, the court shall add to the amount of the ~~bail-~~ 1441  
monetary bond the thirty or nine dollars required to be paid by 1442  
division (A)(1) of this section. The thirty or nine dollars 1443  
shall be retained by the clerk of the court until the person is 1444  
convicted, pleads guilty, forfeits bail, is found not guilty, or 1445  
has the charges dismissed. If the person is convicted, pleads 1446  
guilty, or forfeits bail, the clerk shall transmit the thirty or 1447  
nine dollars to the treasurer of state, who shall deposit it in 1448  
the reparations fund. If the person is found not guilty or the 1449  
charges are dismissed, the clerk shall return the thirty or nine 1450  
dollars to the person. 1451

(C) No person shall be placed or held in jail for failing 1452  
to pay the additional ~~thirty-thirty-~~ or ~~nine dollars-nine-dollar~~ 1453

court ~~costs or bail that are~~ cost required to be paid by this section. 1454  
1455

(D) As used in this section: 1456

(1) "Moving violation" means any violation of any statute 1457  
or ordinance, other than section 4513.263 of the Revised Code or 1458  
an ordinance that is substantially equivalent to that section, 1459  
that regulates the operation of vehicles, streetcars, or 1460  
trackless trolleys on highways or streets or that regulates size 1461  
or load limitations or fitness requirements of vehicles. "Moving 1462  
violation" does not include the violation of any statute or 1463  
ordinance that regulates pedestrians or the parking of vehicles. 1464

(2) ~~"Bail" means cash, a check, a money order, a credit 1465  
card, or any other form of money that is posted by or for an 1466  
offender pursuant to sections 2937.22 to 2937.46 of the Revised 1467  
Code, Criminal Rule 46, or Traffic Rule 4 to prevent the 1468  
offender from being placed or held in a detention facility, as 1469  
defined in section 2921.01 of the Revised Code~~ "Forfeits bail" 1470  
and "monetary bond" have the same meanings as in section 2937.01 1471  
of the Revised Code. 1472

**Sec. 2746.02.** (A) A court of record of this state shall 1473  
tax as costs or otherwise require the payment of fees for the 1474  
following services rendered, as compensation for the following 1475  
persons, or as part of the sentence imposed by the court, or any 1476  
other of the following fees that are applicable in a particular 1477  
case: 1478

~~(A)~~ (1) In a felony case, financial sanctions, as provided 1479  
in section 2929.18 of the Revised Code; 1480

~~(B)~~ (2) In any criminal case, the costs of prosecution, as 1481  
provided in section 2947.23 of the Revised Code; 1482

<del>(C)</del> <u>(3)</u> In a misdemeanor case in which the offender is	1483
sentenced to a jail term, the local detention facility is	1484
covered by a policy adopted by the facility's governing	1485
authority requiring reimbursement for the costs of confinement,	1486
and the offender is presented with an itemized bill pursuant to	1487
section 2929.37 of the Revised Code for such costs, the costs of	1488
confinement, as provided in section 2929.24 of the Revised Code;	1489
<del>(D)</del> <u>(4)</u> In a case in which an offender is sentenced for	1490
endangering children in violation of section 2919.22 of the	1491
Revised Code, the costs of the offender's supervised community	1492
service work, as provided in section 2919.22 of the Revised	1493
Code;	1494
<del>(E)</del> <u>(5)</u> In a case in which a defendant is charged with any	1495
of certain sexual assault or prostitution-related offenses and	1496
is found to be suffering from a venereal disease in an	1497
infectious stage, the cost of medical treatment, as provided in	1498
section 2907.27 of the Revised Code;	1499
<del>(F)</del> <u>(6)</u> In a case in which a defendant is charged with	1500
harassment with a bodily substance, the cost of medical testing,	1501
as provided in section 2921.38 of the Revised Code;	1502
<del>(G)</del> <u>(7)</u> In a case in which a defendant is charged with	1503
violating a protection order in violation of section 2919.27 of	1504
the Revised Code or of a municipal ordinance that is	1505
substantially similar to that section, the costs of any	1506
evaluation and preceding examination of the defendant, as	1507
provided in section 2919.271 of the Revised Code;	1508
<del>(H)</del> <u>(8)</u> Presentence psychological or psychiatric reports,	1509
as provided in section 2947.06 of the Revised Code;	1510
<del>(I)</del> <u>(9)</u> In a criminal proceeding, the taking of a	1511

deposition of a person who is imprisoned in a detention facility 1512  
or state correctional institution within this state or who is in 1513  
the custody of the department of youth services, as provided in 1514  
section 2945.47 of the Revised Code; 1515

~~(J)~~ (10) In a case in which a person is convicted of or 1516  
pleads guilty to any offense other than a parking violation or 1517  
in which a child is found to be a delinquent child or a juvenile 1518  
traffic offender for an act that, if committed by an adult, 1519  
would be an offense other than a parking violation, additional 1520  
costs and ~~bail~~ monetary bond, if applicable, as provided in 1521  
sections 2743.70 and 2949.091 of the Revised Code, but subject 1522  
to waiver as provided in section 2949.092 of the Revised Code; 1523

~~(K)~~ (11) In a case in which a person is convicted of or 1524  
pleads guilty to a moving violation or in which a child is found 1525  
to be a juvenile traffic offender for an act which, if committed 1526  
by an adult, would be a moving violation, additional costs and 1527  
~~bail~~ monetary bond, if applicable, as provided in sections 1528  
2949.093 and 2949.094 of the Revised Code, but subject to waiver 1529  
as provided in section 2949.092 of the Revised Code; 1530

~~(L)~~ (12) In a case in which a defendant is convicted of 1531  
abandoning a junk vessel or outboard motor without notifying the 1532  
appropriate law enforcement officer, the cost incurred by the 1533  
state or a political subdivision in disposing of the vessel or 1534  
motor, as provided in section 1547.99 of the Revised Code; 1535

~~(M)~~ (13) The costs of electronic monitoring in the 1536  
following cases: 1537

~~(1)~~ (a) In a misdemeanor case in which the offender is 1538  
convicted of any of certain prostitution-related offenses and a 1539  
specification under section 2941.1421 of the Revised Code, as 1540

provided in section 2929.24 of the Revised Code; 1541

~~(2)~~ (b) In a case in which the court issues a criminal 1542  
protection order against a minor upon a petition alleging that 1543  
the respondent committed any of certain assault, menacing, or 1544  
trespass offenses, a sexually oriented offense, or an offense 1545  
under a municipal ordinance that is substantially equivalent to 1546  
any of those offenses, as provided in section 2151.34 of the 1547  
Revised Code; 1548

~~(3)~~ (c) In a case in which the court issues a protection 1549  
order against an adult upon a petition alleging that the 1550  
respondent committed menacing by stalking or a sexually oriented 1551  
offense, as provided in section 2903.214 of the Revised Code; 1552

~~(4)~~ (d) In a case in which an offender is convicted of 1553  
violating a protection order, as provided in section 2919.27 of 1554  
the Revised Code; 1555

~~(5)~~ (e) In a case in which the offender is convicted of 1556  
any sexually oriented offense and is a tier III sex 1557  
offender/child-victim offender relative to that offense, as 1558  
provided in section 2929.13 of the Revised Code. 1559

~~(N)~~ (14) In a proceeding for post-conviction relief, a 1560  
transcript, as provided in section 2953.21 of the Revised Code; 1561

~~(O)~~ (15) In a proceeding for the sealing of a conviction 1562  
record, the fees provided for in section 2953.32 of the Revised 1563  
Code. 1564

(B) As used in this section, "monetary bond" has the same 1565  
meaning as in section 2937.01 of the Revised Code. 1566

**Sec. 2907.41.** (A) Subject to division (D) of this section, 1567  
a person who is charged with the commission of any sexually 1568

oriented offense or with a violation of section 2907.09 of the Revised Code shall appear before the court for the setting of bail if the person charged previously was convicted of or pleaded guilty to a sexually oriented offense, a violation of section 2907.09 of the Revised Code, or a violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially similar to section 2907.09 of the Revised Code.

(B) To the extent that information about any of the following is available to the court, the court, in addition to any other circumstances considered by the court and notwithstanding any provisions to the contrary contained in Criminal Rule 46, shall consider all of the following before setting bail for a person who appears before the court pursuant to division (A) of this section:

(1) Whether the person previously has been adjudicated a sexual predator or child-victim predator pursuant to Chapter 2950. of the Revised Code, previously has been determined to be a habitual sex offender or habitual child-victim offender pursuant to that ~~Chapter~~chapter, has a history of committing sexually oriented offenses or child-victim oriented offenses, or has a history of committing violations of section 2907.09 of the Revised Code or violations of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially similar to that section;

(2) The mental health of the person;

(3) Whether the person has a history of violating the orders of any court or governmental entity;

(4) Whether the person is potentially a threat to any

other person; 1598

(5) Whether the person has access to deadly weapons or a 1599  
history of using deadly weapons; 1600

(6) Whether the person has a history of abusing alcohol or 1601  
any controlled substance; 1602

(7) The severity of the alleged conduct of the person that 1603  
is the basis of the offense, including but not limited to, the 1604  
duration of the alleged conduct, and whether the alleged conduct 1605  
involved physical injury, assault, violence, or forcible entry 1606  
to gain access to an alleged victim; 1607

(8) Whether the person has exhibited obsessive or 1608  
controlling behaviors toward another person, including, but not 1609  
limited to, stalking, surveillance, or isolation of another 1610  
person; 1611

(9) Whether the person has expressed suicidal or homicidal 1612  
ideations; 1613

(10) Any information contained in the complaint and any 1614  
police reports, affidavits, or other documents accompanying the 1615  
complaint. 1616

(C) Any court that has jurisdiction over charges alleging 1617  
the commission of a sexually oriented offense or a violation of 1618  
section 2907.09 of the Revised Code, in circumstances in which 1619  
the person charged previously was convicted of or pleaded guilty 1620  
to any of the offenses or violations described in division (A) 1621  
of this section, may set a schedule for bail to be used in cases 1622  
involving those offenses and violations. The schedule shall 1623  
require that a judge consider all of the factors listed in 1624  
division (B) of this section and may require judges to set bail 1625  
at a certain level if the history of the alleged offender or the 1626

circumstances of the alleged offense meet certain criteria in 1627  
the schedule. 1628

(D) (1) Upon the court's own motion or the motion of a 1629  
party and upon any terms that the court may direct, a court may 1630  
permit a person who is required to appear before it by division 1631  
(A) of this section to appear by video conferencing equipment. 1632

(2) If, in the opinion of the court, the appearance in 1633  
person or by video conferencing equipment of a person who is 1634  
charged with a misdemeanor and who is required to appear before 1635  
the court by division (A) of this section is not practicable, 1636  
the court may waive the appearance and release the person on 1637  
bail in accordance with the court's schedule for bail set under 1638  
division (C) of this section or, if the court has not set a 1639  
schedule for bail under that division, on one or both of the 1640  
following types of bail in an amount set by the court after 1641  
conducting an ability to pay inquiry as described in section 1642  
2937.015 of the Revised Code: 1643

(a) A bail bond secured by a deposit of ten per cent of 1644  
the amount of the bond in cash; 1645

(b) A surety bond, a bond secured by real estate or 1646  
securities as allowed by law, or the deposit of cash, at the 1647  
option of the person. 1648

(3) Division (A) of this section does not create a right 1649  
in a person to appear before the court for the setting of bail 1650  
or prohibit a court from requiring any person charged with a 1651  
sexually oriented offense or a violation of section 2907.09 of 1652  
the Revised Code who is not described in that division from 1653  
appearing before the court for the setting of bail. 1654

(E) As used in this section, ~~"child-victim-oriented"~~ 1655



~~offense,"~~: 1656

(1) "Bail," "bond," and "surety bond" have the same 1657  
meanings as in section 2937.01 of the Revised Code. 1658

(2) "Child-victim oriented offense," "child-victim 1659  
predator," "habitual child-victim offender," "habitual sex 1660  
offender," "sexually oriented offense," and "sexual predator" 1661  
have the same meanings as in section 2950.01 of the Revised 1662  
Code. 1663

**Sec. 2919.251.** (A) Subject to division (D) of this 1664  
section, a person who is charged with the commission of any 1665  
offense of violence shall appear before the court for the 1666  
setting of bail if the alleged victim of the offense charged was 1667  
a family or household member at the time of the offense and if 1668  
any of the following applies: 1669

(1) The person charged, at the time of the alleged 1670  
offense, was subject to the terms of a protection order issued 1671  
or consent agreement approved pursuant to section 2919.26 or 1672  
3113.31 of the Revised Code or previously was convicted of or 1673  
pleaded guilty to a violation of section 2919.25 of the Revised 1674  
Code or a violation of section 2919.27 of the Revised Code 1675  
involving a protection order or consent agreement of that type, 1676  
a violation of an existing or former municipal ordinance or law 1677  
of this or any other state or the United States that is 1678  
substantially similar to either section, a violation of section 1679  
2909.06, 2909.07, 2911.12, or 2911.211 of the Revised Code if 1680  
the victim of the violation was a family or household member at 1681  
the time of the violation, a violation of an existing or former 1682  
municipal ordinance or law of this or any other state or the 1683  
United States that is substantially similar to any of those 1684  
sections if the victim of the violation was a family or 1685

household member at the time of the commission of the violation, 1686  
or any offense of violence if the victim of the offense was a 1687  
family or household member at the time of the offense; 1688

(2) The arresting officer indicates in a police report or 1689  
other document accompanying the complaint any of the following: 1690

(a) That the arresting officer observed on the alleged 1691  
victim objective manifestations of physical harm that the 1692  
arresting officer reasonably believes are a result of the 1693  
alleged offense; 1694

(b) That the arresting officer reasonably believes that 1695  
the person had on the person's person at the time of the alleged 1696  
offense a deadly weapon or dangerous ordnance; 1697

(c) That the arresting officer reasonably believes that 1698  
the person presents a credible threat of serious physical harm 1699  
to the alleged victim or to any other person if released on bail 1700  
before trial. 1701

(B) To the extent that information about any of the 1702  
following is available to the court, the court shall consider 1703  
all of the following, in addition to any other circumstances 1704  
considered by the court and notwithstanding any provisions to 1705  
the contrary contained in Criminal Rule 46, before setting bail 1706  
for a person who appears before the court pursuant to division 1707  
(A) of this section: 1708

(1) Whether the person has a history of domestic violence 1709  
or a history of other violent acts; 1710

(2) The mental health of the person; 1711

(3) Whether the person has a history of violating the 1712  
orders of any court or governmental entity; 1713

(4) Whether the person is potentially a threat to any other person;	1714 1715
(5) Whether the person has access to deadly weapons or a history of using deadly weapons;	1716 1717
(6) Whether the person has a history of abusing alcohol or any controlled substance;	1718 1719
(7) The severity of the alleged violence that is the basis of the offense, including but not limited to, the duration of the alleged violent incident, and whether the alleged violent incident involved serious physical injury, sexual assault, strangulation, abuse during the alleged victim's pregnancy, abuse of pets, or forcible entry to gain access to the alleged victim;	1720 1721 1722 1723 1724 1725 1726
(8) Whether a separation of the person from the alleged victim or a termination of the relationship between the person and the alleged victim has recently occurred or is pending;	1727 1728 1729
(9) Whether the person has exhibited obsessive or controlling behaviors toward the alleged victim, including but not limited to, stalking, surveillance, or isolation of the alleged victim;	1730 1731 1732 1733
(10) Whether the person has expressed suicidal or homicidal ideations;	1734 1735
(11) Any information contained in the complaint and any police reports, affidavits, or other documents accompanying the complaint.	1736 1737 1738
(C) Any court that has jurisdiction over charges alleging the commission of an offense of violence in circumstances in which the alleged victim of the offense was a family or	1739 1740 1741

household member at the time of the offense may set a schedule 1742  
for bail to be used in cases involving those offenses. The 1743  
schedule shall require that a judge consider all of the factors 1744  
listed in division (B) of this section and may require judges to 1745  
set bail at a certain level if the history of the alleged 1746  
offender or the circumstances of the alleged offense meet 1747  
certain criteria in the schedule. 1748

(D) (1) Upon the court's own motion or the motion of a 1749  
party and upon any terms that the court may direct, a court may 1750  
permit a person who is required to appear before it by division 1751  
(A) of this section to appear by video conferencing equipment. 1752

(2) If in the opinion of the court the appearance in 1753  
person or by video conferencing equipment of a person who is 1754  
charged with a misdemeanor and who is required to appear before 1755  
the court by division (A) of this section is not practicable, 1756  
the court may waive the appearance and release the person on 1757  
bail in accordance with the court's schedule for bail set under 1758  
division (C) of this section or, if the court has not set a 1759  
schedule for bail under that division, on one or both of the 1760  
following types of bail in an amount set by the court after 1761  
conducting an ability to pay inquiry as described in section 1762  
2937.015 of the Revised Code: 1763

(a) A bail bond secured by a deposit of ten per cent of 1764  
the amount of the bond in cash; 1765

(b) A surety bond, a bond secured by real estate or 1766  
securities as allowed by law, or the deposit of cash, at the 1767  
option of the person. 1768

(3) Division (A) of this section does not create a right 1769  
in a person to appear before the court for the setting of bail 1770

or prohibit a court from requiring any person charged with an offense of violence who is not described in that division from appearing before the court for the setting of bail.

(E) As used in this section:

(1) "Bail," "bond," and "surety bond" have the same meanings as in section 2937.01 of the Revised Code.

(2) "Controlled substance" has the same meaning as in section 3719.01 of the Revised Code.

~~(2)~~ (3) "Dangerous ordnance" and "deadly weapon" have the same meanings as in section 2923.11 of the Revised Code.

**Sec. 2925.01.** As used in this chapter:

(A) "Administer," "controlled substance," "controlled substance analog," "dispense," "distribute," "hypodermic," "manufacturer," "official written order," "person," "pharmacist," "pharmacy," "sale," "schedule I," "schedule II," "schedule III," "schedule IV," "schedule V," and "wholesaler" have the same meanings as in section 3719.01 of the Revised Code.

(B) "Drug dependent person" and "drug of abuse" have the same meanings as in section 3719.011 of the Revised Code.

(C) "Drug," "dangerous drug," "licensed health professional authorized to prescribe drugs," and "prescription" have the same meanings as in section 4729.01 of the Revised Code.

(D) "Bulk amount" of a controlled substance means any of the following:

(1) For any compound, mixture, preparation, or substance

included in schedule I, schedule II, or schedule III, with the 1798  
exception of any controlled substance analog, marihuana, 1799  
cocaine, L.S.D., heroin, any fentanyl-related compound, and 1800  
hashish and except as provided in division (D) (2), (5), or (6) 1801  
of this section, whichever of the following is applicable: 1802

(a) An amount equal to or exceeding ten grams or twenty- 1803  
five unit doses of a compound, mixture, preparation, or 1804  
substance that is or contains any amount of a schedule I opiate 1805  
or opium derivative; 1806

(b) An amount equal to or exceeding ten grams of a 1807  
compound, mixture, preparation, or substance that is or contains 1808  
any amount of raw or gum opium; 1809

(c) An amount equal to or exceeding thirty grams or ten 1810  
unit doses of a compound, mixture, preparation, or substance 1811  
that is or contains any amount of a schedule I hallucinogen 1812  
other than tetrahydrocannabinol or lysergic acid amide, or a 1813  
schedule I stimulant or depressant; 1814

(d) An amount equal to or exceeding twenty grams or five 1815  
times the maximum daily dose in the usual dose range specified 1816  
in a standard pharmaceutical reference manual of a compound, 1817  
mixture, preparation, or substance that is or contains any 1818  
amount of a schedule II opiate or opium derivative; 1819

(e) An amount equal to or exceeding five grams or ten unit 1820  
doses of a compound, mixture, preparation, or substance that is 1821  
or contains any amount of phencyclidine; 1822

(f) An amount equal to or exceeding one hundred twenty 1823  
grams or thirty times the maximum daily dose in the usual dose 1824  
range specified in a standard pharmaceutical reference manual of 1825  
a compound, mixture, preparation, or substance that is or 1826

contains any amount of a schedule II stimulant that is in a 1827  
final dosage form manufactured by a person authorized by the 1828  
"Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 1829  
U.S.C.A. 301, as amended, and the federal drug abuse control 1830  
laws, as defined in section 3719.01 of the Revised Code, that is 1831  
or contains any amount of a schedule II depressant substance or 1832  
a schedule II hallucinogenic substance; 1833

(g) An amount equal to or exceeding three grams of a 1834  
compound, mixture, preparation, or substance that is or contains 1835  
any amount of a schedule II stimulant, or any of its salts or 1836  
isomers, that is not in a final dosage form manufactured by a 1837  
person authorized by the Federal Food, Drug, and Cosmetic Act 1838  
and the federal drug abuse control laws. 1839

(2) An amount equal to or exceeding one hundred twenty 1840  
grams or thirty times the maximum daily dose in the usual dose 1841  
range specified in a standard pharmaceutical reference manual of 1842  
a compound, mixture, preparation, or substance that is or 1843  
contains any amount of a schedule III or IV substance other than 1844  
an anabolic steroid or a schedule III opiate or opium 1845  
derivative; 1846

(3) An amount equal to or exceeding twenty grams or five 1847  
times the maximum daily dose in the usual dose range specified 1848  
in a standard pharmaceutical reference manual of a compound, 1849  
mixture, preparation, or substance that is or contains any 1850  
amount of a schedule III opiate or opium derivative; 1851

(4) An amount equal to or exceeding two hundred fifty 1852  
milliliters or two hundred fifty grams of a compound, mixture, 1853  
preparation, or substance that is or contains any amount of a 1854  
schedule V substance; 1855

(5) An amount equal to or exceeding two hundred solid 1856  
dosage units, sixteen grams, or sixteen milliliters of a 1857  
compound, mixture, preparation, or substance that is or contains 1858  
any amount of a schedule III anabolic steroid; 1859

(6) For any compound, mixture, preparation, or substance 1860  
that is a combination of a fentanyl-related compound and any 1861  
other compound, mixture, preparation, or substance included in 1862  
schedule III, schedule IV, or schedule V, if the defendant is 1863  
charged with a violation of section 2925.11 of the Revised Code 1864  
and the sentencing provisions set forth in divisions (C) (10) (b) 1865  
and (C) (11) of that section will not apply regarding the 1866  
defendant and the violation, the bulk amount of the controlled 1867  
substance for purposes of the violation is the amount specified 1868  
in division (D) (1), (2), (3), (4), or (5) of this section for 1869  
the other schedule III, IV, or V controlled substance that is 1870  
combined with the fentanyl-related compound. 1871

(E) "Unit dose" means an amount or unit of a compound, 1872  
mixture, or preparation containing a controlled substance that 1873  
is separately identifiable and in a form that indicates that it 1874  
is the amount or unit by which the controlled substance is 1875  
separately administered to or taken by an individual. 1876

(F) "Cultivate" includes planting, watering, fertilizing, 1877  
or tilling. 1878

(G) "Drug abuse offense" means any of the following: 1879

(1) A violation of division (A) of section 2913.02 that 1880  
constitutes theft of drugs, or a violation of section 2925.02, 1881  
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 1882  
2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36, 1883  
or 2925.37 of the Revised Code; 1884



(2) A violation of an existing or former law of this or 1885  
any other state or of the United States that is substantially 1886  
equivalent to any section listed in division (G) (1) of this 1887  
section; 1888

(3) An offense under an existing or former law of this or 1889  
any other state, or of the United States, of which planting, 1890  
cultivating, harvesting, processing, making, manufacturing, 1891  
producing, shipping, transporting, delivering, acquiring, 1892  
possessing, storing, distributing, dispensing, selling, inducing 1893  
another to use, administering to another, using, or otherwise 1894  
dealing with a controlled substance is an element; 1895

(4) A conspiracy to commit, attempt to commit, or 1896  
complicity in committing or attempting to commit any offense 1897  
under division (G) (1), (2), or (3) of this section. 1898

(H) "Felony drug abuse offense" means any drug abuse 1899  
offense that would constitute a felony under the laws of this 1900  
state, any other state, or the United States. 1901

(I) "Harmful intoxicant" does not include beer or 1902  
intoxicating liquor but means any of the following: 1903

(1) Any compound, mixture, preparation, or substance the 1904  
gas, fumes, or vapor of which when inhaled can induce 1905  
intoxication, excitement, giddiness, irrational behavior, 1906  
depression, stupefaction, paralysis, unconsciousness, 1907  
asphyxiation, or other harmful physiological effects, and 1908  
includes, but is not limited to, any of the following: 1909

(a) Any volatile organic solvent, plastic cement, model 1910  
cement, fingernail polish remover, lacquer thinner, cleaning 1911  
fluid, gasoline, or other preparation containing a volatile 1912  
organic solvent; 1913

(b) Any aerosol propellant;	1914
(c) Any fluorocarbon refrigerant;	1915
(d) Any anesthetic gas.	1916
(2) Gamma Butyrolactone;	1917
(3) 1,4 Butanediol.	1918
(J) "Manufacture" means to plant, cultivate, harvest,	1919
process, make, prepare, or otherwise engage in any part of the	1920
production of a drug, by propagation, extraction, chemical	1921
synthesis, or compounding, or any combination of the same, and	1922
includes packaging, repackaging, labeling, and other activities	1923
incident to production.	1924
(K) "Possess" or "possession" means having control over a	1925
thing or substance, but may not be inferred solely from mere	1926
access to the thing or substance through ownership or occupation	1927
of the premises upon which the thing or substance is found.	1928
(L) "Sample drug" means a drug or pharmaceutical	1929
preparation that would be hazardous to health or safety if used	1930
without the supervision of a licensed health professional	1931
authorized to prescribe drugs, or a drug of abuse, and that, at	1932
one time, had been placed in a container plainly marked as a	1933
sample by a manufacturer.	1934
(M) "Standard pharmaceutical reference manual" means the	1935
current edition, with cumulative changes if any, of references	1936
that are approved by the state board of pharmacy.	1937
(N) "Juvenile" means a person under eighteen years of age.	1938
(O) "Counterfeit controlled substance" means any of the	1939
following:	1940

- (1) Any drug that bears, or whose container or label bears, a trademark, trade name, or other identifying mark used without authorization of the owner of rights to that trademark, trade name, or identifying mark; 1941  
1942  
1943  
1944
- (2) Any unmarked or unlabeled substance that is represented to be a controlled substance manufactured, processed, packed, or distributed by a person other than the person that manufactured, processed, packed, or distributed it; 1945  
1946  
1947  
1948
- (3) Any substance that is represented to be a controlled substance but is not a controlled substance or is a different controlled substance; 1949  
1950  
1951
- (4) Any substance other than a controlled substance that a reasonable person would believe to be a controlled substance because of its similarity in shape, size, and color, or its markings, labeling, packaging, distribution, or the price for which it is sold or offered for sale. 1952  
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- (P) An offense is "committed in the vicinity of a school" if the offender commits the offense on school premises, in a school building, or within one thousand feet of the boundaries of any school premises, regardless of whether the offender knows the offense is being committed on school premises, in a school building, or within one thousand feet of the boundaries of any school premises. 1957  
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- (Q) "School" means any school operated by a board of education, any community school established under Chapter 3314. of the Revised Code, or any nonpublic school for which the state board of education prescribes minimum standards under section 3301.07 of the Revised Code, whether or not any instruction, extracurricular activities, or training provided by the school 1964  
1965  
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is being conducted at the time a criminal offense is committed.	1970
(R) "School premises" means either of the following:	1971
(1) The parcel of real property on which any school is situated, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted on the premises at the time a criminal offense is committed;	1972 1973 1974 1975 1976
(2) Any other parcel of real property that is owned or leased by a board of education of a school, the governing authority of a community school established under Chapter 3314. of the Revised Code, or the governing body of a nonpublic school for which the state board of education prescribes minimum standards under section 3301.07 of the Revised Code and on which some of the instruction, extracurricular activities, or training of the school is conducted, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted on the parcel of real property at the time a criminal offense is committed.	1977 1978 1979 1980 1981 1982 1983 1984 1985 1986 1987
(S) "School building" means any building in which any of the instruction, extracurricular activities, or training provided by a school is conducted, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted in the school building at the time a criminal offense is committed.	1988 1989 1990 1991 1992 1993
(T) "Disciplinary counsel" means the disciplinary counsel appointed by the board of commissioners on grievances and discipline of the supreme court under the Rules for the Government of the Bar of Ohio.	1994 1995 1996 1997
(U) "Certified grievance committee" means a duly	1998

constituted and organized committee of the Ohio state bar 1999  
association or of one or more local bar associations of the 2000  
state of Ohio that complies with the criteria set forth in Rule 2001  
V, section 6 of the Rules for the Government of the Bar of Ohio. 2002

(V) "Professional license" means any license, permit, 2003  
certificate, registration, qualification, admission, temporary 2004  
license, temporary permit, temporary certificate, or temporary 2005  
registration that is described in divisions (W) (1) to (37) of 2006  
this section and that qualifies a person as a professionally 2007  
licensed person. 2008

(W) "Professionally licensed person" means any of the 2009  
following: 2010

(1) A person who has received a certificate or temporary 2011  
certificate as a certified public accountant or who has 2012  
registered as a public accountant under Chapter 4701. of the 2013  
Revised Code and who holds an Ohio permit issued under that 2014  
chapter; 2015

(2) A person who holds a certificate of qualification to 2016  
practice architecture issued or renewed and registered under 2017  
Chapter 4703. of the Revised Code; 2018

(3) A person who is registered as a landscape architect 2019  
under Chapter 4703. of the Revised Code or who holds a permit as 2020  
a landscape architect issued under that chapter; 2021

(4) A person licensed under Chapter 4707. of the Revised 2022  
Code; 2023

(5) A person who has been issued a certificate of 2024  
registration as a registered barber under Chapter 4709. of the 2025  
Revised Code; 2026

(6) A person licensed and regulated to engage in the 2027  
business of a debt pooling company by a legislative authority, 2028  
under authority of Chapter 4710. of the Revised Code; 2029

(7) A person who has been issued a cosmetologist's 2030  
license, hair designer's license, manicurist's license, 2031  
esthetician's license, natural hair stylist's license, advanced 2032  
cosmetologist's license, advanced hair designer's license, 2033  
advanced manicurist's license, advanced esthetician's license, 2034  
advanced natural hair stylist's license, cosmetology 2035  
instructor's license, hair design instructor's license, 2036  
manicurist instructor's license, esthetics instructor's license, 2037  
natural hair style instructor's license, independent 2038  
contractor's license, or tanning facility permit under Chapter 2039  
4713. of the Revised Code; 2040

(8) A person who has been issued a license to practice 2041  
dentistry, a general anesthesia permit, a conscious sedation 2042  
permit, a limited resident's license, a limited teaching 2043  
license, a dental hygienist's license, or a dental hygienist's 2044  
teacher's certificate under Chapter 4715. of the Revised Code; 2045

(9) A person who has been issued an embalmer's license, a 2046  
funeral director's license, a funeral home license, or a 2047  
crematory license, or who has been registered for an embalmer's 2048  
or funeral director's apprenticeship under Chapter 4717. of the 2049  
Revised Code; 2050

(10) A person who has been licensed as a registered nurse 2051  
or practical nurse, or who has been issued a certificate for the 2052  
practice of nurse-midwifery under Chapter 4723. of the Revised 2053  
Code; 2054

(11) A person who has been licensed to practice optometry 2055

or to engage in optical dispensing under Chapter 4725. of the Revised Code;	2056 2057
(12) A person licensed to act as a pawnbroker under Chapter 4727. of the Revised Code;	2058 2059
(13) A person licensed to act as a precious metals dealer under Chapter 4728. of the Revised Code;	2060 2061
(14) A person licensed under Chapter 4729. of the Revised Code as a pharmacist or pharmacy intern or registered under that chapter as a registered pharmacy technician, certified pharmacy technician, or pharmacy technician trainee;	2062 2063 2064 2065
(15) A person licensed under Chapter 4729. of the Revised Code as a manufacturer of dangerous drugs, outsourcing facility, third-party logistics provider, repackager of dangerous drugs, wholesale distributor of dangerous drugs, or terminal distributor of dangerous drugs;	2066 2067 2068 2069 2070
(16) A person who is authorized to practice as a physician assistant under Chapter 4730. of the Revised Code;	2071 2072
(17) A person who has been issued a license to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery under Chapter 4731. of the Revised Code or has been issued a certificate to practice a limited branch of medicine under that chapter;	2073 2074 2075 2076 2077
(18) A person licensed as a psychologist or school psychologist under Chapter 4732. of the Revised Code;	2078 2079
(19) A person registered to practice the profession of engineering or surveying under Chapter 4733. of the Revised Code;	2080 2081 2082
(20) A person who has been issued a license to practice	2083

chiropractic under Chapter 4734. of the Revised Code;	2084
(21) A person licensed to act as a real estate broker or	2085
real estate salesperson under Chapter 4735. of the Revised Code;	2086
(22) A person registered as a registered environmental	2087
health specialist under Chapter 4736. of the Revised Code;	2088
(23) A person licensed to operate or maintain a junkyard	2089
under Chapter 4737. of the Revised Code;	2090
(24) A person who has been issued a motor vehicle salvage	2091
dealer's license under Chapter 4738. of the Revised Code;	2092
(25) A person who has been licensed to act as a steam	2093
engineer under Chapter 4739. of the Revised Code;	2094
(26) A person who has been issued a license or temporary	2095
permit to practice veterinary medicine or any of its branches,	2096
or who is registered as a graduate animal technician under	2097
Chapter 4741. of the Revised Code;	2098
(27) A person who has been issued a hearing aid dealer's	2099
or fitter's license or trainee permit under Chapter 4747. of the	2100
Revised Code;	2101
(28) A person who has been issued a class A, class B, or	2102
class C license or who has been registered as an investigator or	2103
security guard employee under Chapter 4749. of the Revised Code;	2104
(29) A person licensed to practice as a nursing home	2105
administrator under Chapter 4751. of the Revised Code;	2106
(30) A person licensed to practice as a speech-language	2107
pathologist or audiologist under Chapter 4753. of the Revised	2108
Code;	2109
(31) A person issued a license as an occupational	2110



therapist or physical therapist under Chapter 4755. of the	2111
Revised Code;	2112
(32) A person who is licensed as a licensed professional	2113
clinical counselor, licensed professional counselor, social	2114
worker, independent social worker, independent marriage and	2115
family therapist, or marriage and family therapist, or	2116
registered as a social work assistant under Chapter 4757. of the	2117
Revised Code;	2118
(33) A person issued a license to practice dietetics under	2119
Chapter 4759. of the Revised Code;	2120
(34) A person who has been issued a license or limited	2121
permit to practice respiratory therapy under Chapter 4761. of	2122
the Revised Code;	2123
(35) A person who has been issued a real estate appraiser	2124
certificate under Chapter 4763. of the Revised Code;	2125
(36) A person who has been issued a home inspector license	2126
under Chapter 4764. of the Revised Code;	2127
(37) A person who has been admitted to the bar by order of	2128
the supreme court in compliance with its prescribed and	2129
published rules.	2130
(X) "Cocaine" means any of the following:	2131
(1) A cocaine salt, isomer, or derivative, a salt of a	2132
cocaine isomer or derivative, or the base form of cocaine;	2133
(2) Coca leaves or a salt, compound, derivative, or	2134
preparation of coca leaves, including ecgonine, a salt, isomer,	2135
or derivative of ecgonine, or a salt of an isomer or derivative	2136
of ecgonine;	2137

(3) A salt, compound, derivative, or preparation of a 2138  
substance identified in division (X) (1) or (2) of this section 2139  
that is chemically equivalent to or identical with any of those 2140  
substances, except that the substances shall not include 2141  
decocainized coca leaves or extraction of coca leaves if the 2142  
extractions do not contain cocaine or ecgonine. 2143

(Y) "L.S.D." means lysergic acid diethylamide. 2144

(Z) "Hashish" means a resin or a preparation of a resin to 2145  
which both of the following apply: 2146

(1) It is contained in or derived from any part of the 2147  
plant of the genus cannabis, whether in solid form or in a 2148  
liquid concentrate, liquid extract, or liquid distillate form. 2149

(2) It has a delta-9 tetrahydrocannabinol concentration of 2150  
more than three-tenths per cent. 2151

"Hashish" does not include a hemp byproduct in the 2152  
possession of a licensed hemp processor under Chapter 928. of 2153  
the Revised Code, provided that the hemp byproduct is being 2154  
produced, stored, and disposed of in accordance with rules 2155  
adopted under section 928.03 of the Revised Code. 2156

(AA) "Marihuana" has the same meaning as in section 2157  
3719.01 of the Revised Code, except that it does not include 2158  
hashish. 2159

(BB) An offense is "committed in the vicinity of a 2160  
juvenile" if the offender commits the offense within one hundred 2161  
feet of a juvenile or within the view of a juvenile, regardless 2162  
of whether the offender knows the age of the juvenile, whether 2163  
the offender knows the offense is being committed within one 2164  
hundred feet of or within view of the juvenile, or whether the 2165  
juvenile actually views the commission of the offense. 2166

(CC) "Presumption for a prison term" or "presumption that a prison term shall be imposed" means a presumption, as described in division (D) of section 2929.13 of the Revised Code, that a prison term is a necessary sanction for a felony in order to comply with the purposes and principles of sentencing under section 2929.11 of the Revised Code.

(DD) "Major drug offender" has the same meaning as in section 2929.01 of the Revised Code.

(EE) "Minor drug possession offense" means either of the following:

(1) A violation of section 2925.11 of the Revised Code as it existed prior to July 1, 1996;

(2) A violation of section 2925.11 of the Revised Code as it exists on and after July 1, 1996, that is a misdemeanor or a felony of the fifth degree.

(FF) "Mandatory prison term" has the same meaning as in section 2929.01 of the Revised Code.

(GG) "Adulterate" means to cause a drug to be adulterated as described in section 3715.63 of the Revised Code.

(HH) "Public premises" means any hotel, restaurant, tavern, store, arena, hall, or other place of public accommodation, business, amusement, or resort.

(II) "Methamphetamine" means methamphetamine, any salt, isomer, or salt of an isomer of methamphetamine, or any compound, mixture, preparation, or substance containing methamphetamine or any salt, isomer, or salt of an isomer of methamphetamine.

(JJ) "Deception" has the same meaning as in section

2913.01 of the Revised Code.	2195
(KK) "Fentanyl-related compound" means any of the following:	2196
	2197
(1) Fentanyl;	2198
(2) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4- piperidyl]propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);	2199
	2200
	2201
(3) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4- piperidinyl]-N-phenylpropanamide);	2202
	2203
(4) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4-piperidinyl] -N-phenylpropanamide);	2204
	2205
(5) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2- phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);	2206
	2207
	2208
(6) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N- phenylpropanamide);	2209
	2210
(7) 3-methylthiofentanyl (N-[3-methyl-1-[2-(thienyl)ethyl]-4- piperidinyl]-N-phenylpropanamide);	2211
	2212
(8) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4- piperidinyl]propanamide;	2213
	2214
(9) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]- propanamide;	2215
	2216
(10) Alfentanil;	2217
(11) Carfentanil;	2218
(12) Remifentanil;	2219
(13) Sufentanil;	2220

- (14) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide); and 2221  
2222
- (15) Any compound that meets all of the following fentanyl 2223  
pharmacophore requirements to bind at the mu receptor, as 2224  
identified by a report from an established forensic laboratory, 2225  
including acetylfentanyl, furanylfentanyl, valerylfentanyl, 2226  
butyrylfentanyl, isobutyrylfentanyl, 4-methoxybutyrylfentanyl, 2227  
para-fluorobutyrylfentanyl, acrylfentanyl, and ortho- 2228  
fluorofentanyl: 2229
- (a) A chemical scaffold consisting of both of the 2230  
following: 2231
- (i) A five, six, or seven member ring structure containing 2232  
a nitrogen, whether or not further substituted; 2233
- (ii) An attached nitrogen to the ring, whether or not that 2234  
nitrogen is enclosed in a ring structure, including an attached 2235  
aromatic ring or other lipophilic group to that nitrogen. 2236
- (b) A polar functional group attached to the chemical 2237  
scaffold, including but not limited to a hydroxyl, ketone, 2238  
amide, or ester; 2239
- (c) An alkyl or aryl substitution off the ring nitrogen of 2240  
the chemical scaffold; and 2241
- (d) The compound has not been approved for medical use by 2242  
the United States food and drug administration. 2243
- (LL) "First degree felony mandatory prison term" means one 2244  
of the definite prison terms prescribed in division (A) (1) (b) of 2245  
section 2929.14 of the Revised Code for a felony of the first 2246  
degree, except that if the violation for which sentence is being 2247  
imposed is committed on or after March 22, 2019, it means one of 2248

the minimum prison terms prescribed in division (A) (1) (a) of 2249  
that section for a felony of the first degree. 2250

(MM) "Second degree felony mandatory prison term" means 2251  
one of the definite prison terms prescribed in division (A) (2) 2252  
(b) of section 2929.14 of the Revised Code for a felony of the 2253  
second degree, except that if the violation for which sentence 2254  
is being imposed is committed on or after March 22, 2019, it 2255  
means one of the minimum prison terms prescribed in division (A) 2256  
(2) (a) of that section for a felony of the second degree. 2257

(NN) "Maximum first degree felony mandatory prison term" 2258  
means the maximum definite prison term prescribed in division 2259  
(A) (1) (b) of section 2929.14 of the Revised Code for a felony of 2260  
the first degree, except that if the violation for which 2261  
sentence is being imposed is committed on or after March 22, 2262  
2019, it means the longest minimum prison term prescribed in 2263  
division (A) (1) (a) of that section for a felony of the first 2264  
degree. 2265

(OO) "Maximum second degree felony mandatory prison term" 2266  
means the maximum definite prison term prescribed in division 2267  
(A) (2) (b) of section 2929.14 of the Revised Code for a felony of 2268  
the second degree, except that if the violation for which 2269  
sentence is being imposed is committed on or after March 22, 2270  
2019, it means the longest minimum prison term prescribed in 2271  
division (A) (2) (a) of that section for a felony of the second 2272  
degree. 2273

(PP) "Delta-9 tetrahydrocannabinol" has the same meaning 2274  
as in section 928.01 of the Revised Code. 2275

(QQ) "Bail," "forfeited bail," and "monetary bond" have 2276  
the same meanings as in section 2937.01 of the Revised Code. 2277

<b>Sec. 2925.02.</b> (A) No person shall knowingly do any of the	2278
following:	2279
(1) By force, threat, or deception, administer to another	2280
or induce or cause another to use a controlled substance;	2281
(2) By any means, administer or furnish to another or	2282
induce or cause another to use a controlled substance with	2283
purpose to cause serious physical harm to the other person, or	2284
with purpose to cause the other person to become drug dependent;	2285
(3) By any means, administer or furnish to another or	2286
induce or cause another to use a controlled substance, and	2287
thereby cause serious physical harm to the other person, or	2288
cause the other person to become drug dependent;	2289
(4) By any means, do any of the following:	2290
(a) Furnish or administer a controlled substance to a	2291
juvenile who is at least two years the offender's junior, when	2292
the offender knows the age of the juvenile or is reckless in	2293
that regard;	2294
(b) Induce or cause a juvenile who is at least two years	2295
the offender's junior to use a controlled substance, when the	2296
offender knows the age of the juvenile or is reckless in that	2297
regard;	2298
(c) Induce or cause a juvenile who is at least two years	2299
the offender's junior to commit a felony drug abuse offense,	2300
when the offender knows the age of the juvenile or is reckless	2301
in that regard;	2302
(d) Use a juvenile, whether or not the offender knows the	2303
age of the juvenile, to perform any surveillance activity that	2304
is intended to prevent the detection of the offender or any	2305

other person in the commission of a felony drug abuse offense or 2306  
to prevent the arrest of the offender or any other person for 2307  
the commission of a felony drug abuse offense. 2308

(5) By any means, furnish or administer a controlled 2309  
substance to a pregnant woman or induce or cause a pregnant 2310  
woman to use a controlled substance, when the offender knows 2311  
that the woman is pregnant or is reckless in that regard. 2312

(B) Division (A) (1), (3), (4), or (5) of this section does 2313  
not apply to manufacturers, wholesalers, licensed health 2314  
professionals authorized to prescribe drugs, pharmacists, owners 2315  
of pharmacies, and other persons whose conduct is in accordance 2316  
with Chapters 3719., 4715., 4723., 4729., 4730., 4731., and 2317  
4741. of the Revised Code. 2318

(C) Whoever violates this section is guilty of corrupting 2319  
another with drugs. The penalty for the offense shall be 2320  
determined as follows: 2321

(1) If the offense is a violation of division (A) (1), (2), 2322  
(3), or (4) of this section and the drug involved is any 2323  
compound, mixture, preparation, or substance included in 2324  
schedule I or II, with the exception of marihuana, 1-Pentyl-3- 2325  
(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4- 2326  
morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1- 2327  
dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, and 5- 2328  
(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, the 2329  
offender shall be punished as follows: 2330

(a) Except as otherwise provided in division (C) (1) (b) of 2331  
this section, corrupting another with drugs committed in those 2332  
circumstances is a felony of the second degree and, subject to 2333  
division (E) of this section, the court shall impose as a 2334



mandatory prison term a second degree felony mandatory prison 2335  
term. 2336

(b) If the offense was committed in the vicinity of a 2337  
school, corrupting another with drugs committed in those 2338  
circumstances is a felony of the first degree, and, subject to 2339  
division (E) of this section, the court shall impose as a 2340  
mandatory prison term a first degree felony mandatory prison 2341  
term. 2342

(2) If the offense is a violation of division (A) (1), (2), 2343  
(3), or (4) of this section and the drug involved is any 2344  
compound, mixture, preparation, or substance included in 2345  
schedule III, IV, or V, the offender shall be punished as 2346  
follows: 2347

(a) Except as otherwise provided in division (C) (2) (b) of 2348  
this section, corrupting another with drugs committed in those 2349  
circumstances is a felony of the second degree and there is a 2350  
presumption for a prison term for the offense. 2351

(b) If the offense was committed in the vicinity of a 2352  
school, corrupting another with drugs committed in those 2353  
circumstances is a felony of the second degree and the court 2354  
shall impose as a mandatory prison term a second degree felony 2355  
mandatory prison term. 2356

(3) If the offense is a violation of division (A) (1), (2), 2357  
(3), or (4) of this section and the drug involved is marihuana, 2358  
1-Pentyl-3-(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 2359  
1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1- 2360  
dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, or 5- 2361  
(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, the 2362  
offender shall be punished as follows: 2363

(a) Except as otherwise provided in division (C) (3) (b) of 2364  
this section, corrupting another with drugs committed in those 2365  
circumstances is a felony of the fourth degree and division (C) 2366  
of section 2929.13 of the Revised Code applies in determining 2367  
whether to impose a prison term on the offender. 2368

(b) If the offense was committed in the vicinity of a 2369  
school, corrupting another with drugs committed in those 2370  
circumstances is a felony of the third degree and division (C) 2371  
of section 2929.13 of the Revised Code applies in determining 2372  
whether to impose a prison term on the offender. 2373

(4) If the offense is a violation of division (A) (5) of 2374  
this section and the drug involved is any compound, mixture, 2375  
preparation, or substance included in schedule I or II, with the 2376  
exception of marihuana, 1-Pentyl-3-(1-naphthoyl)indole, 1-Butyl- 2377  
3-(1-naphthoyl)indole, 1-[2-(4-morpholinyl)ethyl]-3-(1- 2378  
naphthoyl)indole, 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3- 2379  
hydroxycyclohexyl]-phenol, and 5-(1,1-dimethyloctyl)-2-[(1R,3S)- 2380  
3-hydroxycyclohexyl]-phenol, corrupting another with drugs is a 2381  
felony of the first degree and, subject to division (E) of this 2382  
section, the court shall impose as a mandatory prison term a 2383  
first degree felony mandatory prison term. 2384

(5) If the offense is a violation of division (A) (5) of 2385  
this section and the drug involved is any compound, mixture, 2386  
preparation, or substance included in schedule III, IV, or V, 2387  
corrupting another with drugs is a felony of the second degree 2388  
and the court shall impose as a mandatory prison term a second 2389  
degree felony mandatory prison term. 2390

(6) If the offense is a violation of division (A) (5) of 2391  
this section and the drug involved is marihuana, 1-Pentyl-3-(1- 2392  
naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4- 2393

morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, or 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, corrupting another with drugs is a felony of the third degree and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(D) In addition to any prison term authorized or required by division (C) or (E) of this section and sections 2929.13 and 2929.14 of the Revised Code and in addition to any other sanction imposed for the offense under this section or sections 2929.11 to 2929.18 of the Revised Code, the court that sentences an offender who is convicted of or pleads guilty to a violation of division (A) of this section may suspend for not more than five years the offender's driver's or commercial driver's license or permit. However, if the offender pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or the law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender's driver's or commercial driver's license or permit for not more than five years. The court also shall do all of the following that are applicable regarding the offender:

(1) (a) If the violation is a felony of the first, second, or third degree, the court shall impose upon the offender the mandatory fine specified for the offense under division (B) (1) of section 2929.18 of the Revised Code unless, as specified in that division, the court determines that the offender is indigent.

(b) Notwithstanding any contrary provision of section 3719.21 of the Revised Code, any mandatory fine imposed pursuant

to division (D) (1) (a) of this section and any fine imposed for a 2424  
violation of this section pursuant to division (A) of section 2425  
2929.18 of the Revised Code shall be paid by the clerk of the 2426  
court in accordance with and subject to the requirements of, and 2427  
shall be used as specified in, division (F) of section 2925.03 2428  
of the Revised Code. 2429

(c) If a person is charged with any violation of this 2430  
section that is a felony of the first, second, or third degree, 2431  
posts ~~bail~~ monetary bond, and forfeits the bail, the forfeited 2432  
bail shall be paid by the clerk of the court pursuant to 2433  
division (D) (1) (b) of this section as if it were a fine imposed 2434  
for a violation of this section. 2435

(2) If the offender is a professionally licensed person, 2436  
in addition to any other sanction imposed for a violation of 2437  
this section, the court immediately shall comply with section 2438  
2925.38 of the Revised Code. 2439

(E) Notwithstanding the prison term otherwise authorized 2440  
or required for the offense under division (C) of this section 2441  
and sections 2929.13 and 2929.14 of the Revised Code, if the 2442  
violation of division (A) of this section involves the sale, 2443  
offer to sell, or possession of a schedule I or II controlled 2444  
substance, with the exception of marihuana, 1-Pentyl-3-(1- 2445  
naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4- 2446  
morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1- 2447  
dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, and 5- 2448  
(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, and 2449  
if the court imposing sentence upon the offender finds that the 2450  
offender as a result of the violation is a major drug offender 2451  
and is guilty of a specification of the type described in 2452  
division (A) of section 2941.1410 of the Revised Code, the 2453

court, in lieu of the prison term that otherwise is authorized 2454  
or required, shall impose upon the offender the mandatory prison 2455  
term specified in division (B) (3) (a) of section 2929.14 of the 2456  
Revised Code. 2457

(F) (1) If the sentencing court suspends the offender's 2458  
driver's or commercial driver's license or permit under division 2459  
(D) of this section, the offender, at any time after the 2460  
expiration of two years from the day on which the offender's 2461  
sentence was imposed or from the day on which the offender 2462  
finally was released from a prison term under the sentence, 2463  
whichever is later, may file a motion with the sentencing court 2464  
requesting termination of the suspension. Upon the filing of the 2465  
motion and the court's finding of good cause for the 2466  
determination, the court may terminate the suspension. 2467

(2) Any offender who received a mandatory suspension of 2468  
the offender's driver's or commercial driver's license or permit 2469  
under this section prior to September 13, 2016, may file a 2470  
motion with the sentencing court requesting the termination of 2471  
the suspension. However, an offender who pleaded guilty to or 2472  
was convicted of a violation of section 4511.19 of the Revised 2473  
Code or a substantially similar municipal ordinance or law of 2474  
another state or the United States that arose out of the same 2475  
set of circumstances as the violation for which the offender's 2476  
license or permit was suspended under this section shall not 2477  
file such a motion. 2478

Upon the filing of a motion under division (F) (2) of this 2479  
section, the sentencing court, in its discretion, may terminate 2480  
the suspension. 2481

**Sec. 2925.03.** (A) No person shall knowingly do any of the 2482  
following: 2483

(1) Sell or offer to sell a controlled substance or a controlled substance analog;	2484 2485
(2) Prepare for shipment, ship, transport, deliver, prepare for distribution, or distribute a controlled substance or a controlled substance analog, when the offender knows or has reasonable cause to believe that the controlled substance or a controlled substance analog is intended for sale or resale by the offender or another person.	2486 2487 2488 2489 2490 2491
(B) This section does not apply to any of the following:	2492
(1) Manufacturers, licensed health professionals authorized to prescribe drugs, pharmacists, owners of pharmacies, and other persons whose conduct is in accordance with Chapters 3719., 4715., 4723., 4729., 4730., 4731., and 4741. of the Revised Code;	2493 2494 2495 2496 2497
(2) If the offense involves an anabolic steroid, any person who is conducting or participating in a research project involving the use of an anabolic steroid if the project has been approved by the United States food and drug administration;	2498 2499 2500 2501
(3) Any person who sells, offers for sale, prescribes, dispenses, or administers for livestock or other nonhuman species an anabolic steroid that is expressly intended for administration through implants to livestock or other nonhuman species and approved for that purpose under the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, and is sold, offered for sale, prescribed, dispensed, or administered for that purpose in accordance with that act.	2502 2503 2504 2505 2506 2507 2508 2509 2510
(C) Whoever violates division (A) of this section is guilty of one of the following:	2511 2512

(1) If the drug involved in the violation is any compound, 2513  
mixture, preparation, or substance included in schedule I or 2514  
schedule II, with the exception of marihuana, cocaine, L.S.D., 2515  
heroin, any fentanyl-related compound, hashish, and any 2516  
controlled substance analog, whoever violates division (A) of 2517  
this section is guilty of aggravated trafficking in drugs. The 2518  
penalty for the offense shall be determined as follows: 2519

(a) Except as otherwise provided in division (C) (1) (b), 2520  
(c), (d), (e), or (f) of this section, aggravated trafficking in 2521  
drugs is a felony of the fourth degree, and division (C) of 2522  
section 2929.13 of the Revised Code applies in determining 2523  
whether to impose a prison term on the offender. 2524

(b) Except as otherwise provided in division (C) (1) (c), 2525  
(d), (e), or (f) of this section, if the offense was committed 2526  
in the vicinity of a school or in the vicinity of a juvenile, 2527  
aggravated trafficking in drugs is a felony of the third degree, 2528  
and division (C) of section 2929.13 of the Revised Code applies 2529  
in determining whether to impose a prison term on the offender. 2530

(c) Except as otherwise provided in this division, if the 2531  
amount of the drug involved equals or exceeds the bulk amount 2532  
but is less than five times the bulk amount, aggravated 2533  
trafficking in drugs is a felony of the third degree, and, 2534  
except as otherwise provided in this division, there is a 2535  
presumption for a prison term for the offense. If aggravated 2536  
trafficking in drugs is a felony of the third degree under this 2537  
division and if the offender two or more times previously has 2538  
been convicted of or pleaded guilty to a felony drug abuse 2539  
offense, the court shall impose as a mandatory prison term one 2540  
of the prison terms prescribed for a felony of the third degree. 2541  
If the amount of the drug involved is within that range and if 2542

the offense was committed in the vicinity of a school or in the 2543  
vicinity of a juvenile, aggravated trafficking in drugs is a 2544  
felony of the second degree, and the court shall impose as a 2545  
mandatory prison term a second degree felony mandatory prison 2546  
term. 2547

(d) Except as otherwise provided in this division, if the 2548  
amount of the drug involved equals or exceeds five times the 2549  
bulk amount but is less than fifty times the bulk amount, 2550  
aggravated trafficking in drugs is a felony of the second 2551  
degree, and the court shall impose as a mandatory prison term a 2552  
second degree felony mandatory prison term. If the amount of the 2553  
drug involved is within that range and if the offense was 2554  
committed in the vicinity of a school or in the vicinity of a 2555  
juvenile, aggravated trafficking in drugs is a felony of the 2556  
first degree, and the court shall impose as a mandatory prison 2557  
term a first degree felony mandatory prison term. 2558

(e) If the amount of the drug involved equals or exceeds 2559  
fifty times the bulk amount but is less than one hundred times 2560  
the bulk amount and regardless of whether the offense was 2561  
committed in the vicinity of a school or in the vicinity of a 2562  
juvenile, aggravated trafficking in drugs is a felony of the 2563  
first degree, and the court shall impose as a mandatory prison 2564  
term a first degree felony mandatory prison term. 2565

(f) If the amount of the drug involved equals or exceeds 2566  
one hundred times the bulk amount and regardless of whether the 2567  
offense was committed in the vicinity of a school or in the 2568  
vicinity of a juvenile, aggravated trafficking in drugs is a 2569  
felony of the first degree, the offender is a major drug 2570  
offender, and the court shall impose as a mandatory prison term 2571  
a maximum first degree felony mandatory prison term. 2572



(2) If the drug involved in the violation is any compound, 2573  
mixture, preparation, or substance included in schedule III, IV, 2574  
or V, whoever violates division (A) of this section is guilty of 2575  
trafficking in drugs. The penalty for the offense shall be 2576  
determined as follows: 2577

(a) Except as otherwise provided in division (C) (2) (b), 2578  
(c), (d), or (e) of this section, trafficking in drugs is a 2579  
felony of the fifth degree, and division (B) of section 2929.13 2580  
of the Revised Code applies in determining whether to impose a 2581  
prison term on the offender. 2582

(b) Except as otherwise provided in division (C) (2) (c), 2583  
(d), or (e) of this section, if the offense was committed in the 2584  
vicinity of a school or in the vicinity of a juvenile, 2585  
trafficking in drugs is a felony of the fourth degree, and 2586  
division (C) of section 2929.13 of the Revised Code applies in 2587  
determining whether to impose a prison term on the offender. 2588

(c) Except as otherwise provided in this division, if the 2589  
amount of the drug involved equals or exceeds the bulk amount 2590  
but is less than five times the bulk amount, trafficking in 2591  
drugs is a felony of the fourth degree, and division (B) of 2592  
section 2929.13 of the Revised Code applies in determining 2593  
whether to impose a prison term for the offense. If the amount 2594  
of the drug involved is within that range and if the offense was 2595  
committed in the vicinity of a school or in the vicinity of a 2596  
juvenile, trafficking in drugs is a felony of the third degree, 2597  
and there is a presumption for a prison term for the offense. 2598

(d) Except as otherwise provided in this division, if the 2599  
amount of the drug involved equals or exceeds five times the 2600  
bulk amount but is less than fifty times the bulk amount, 2601  
trafficking in drugs is a felony of the third degree, and there 2602

is a presumption for a prison term for the offense. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in drugs is a felony of the second degree, and there is a presumption for a prison term for the offense.

(e) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds fifty times the bulk amount, trafficking in drugs is a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison term. If the amount of the drug involved equals or exceeds fifty times the bulk amount and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in drugs is a felony of the first degree, and the court shall impose as a mandatory prison term a first degree felony mandatory prison term.

(3) If the drug involved in the violation is marihuana or a compound, mixture, preparation, or substance containing marihuana other than hashish, whoever violates division (A) of this section is guilty of trafficking in marihuana. The penalty for the offense shall be determined as follows:

(a) Except as otherwise provided in division (C) (3) (b), (c), (d), (e), (f), (g), or (h) of this section, trafficking in marihuana is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(b) Except as otherwise provided in division (C) (3) (c), (d), (e), (f), (g), or (h) of this section, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in marihuana is a felony of the fourth

degree, and division (B) of section 2929.13 of the Revised Code 2633  
applies in determining whether to impose a prison term on the 2634  
offender. 2635

(c) Except as otherwise provided in this division, if the 2636  
amount of the drug involved equals or exceeds two hundred grams 2637  
but is less than one thousand grams, trafficking in marihuana is 2638  
a felony of the fourth degree, and division (B) of section 2639  
2929.13 of the Revised Code applies in determining whether to 2640  
impose a prison term on the offender. If the amount of the drug 2641  
involved is within that range and if the offense was committed 2642  
in the vicinity of a school or in the vicinity of a juvenile, 2643  
trafficking in marihuana is a felony of the third degree, and 2644  
division (C) of section 2929.13 of the Revised Code applies in 2645  
determining whether to impose a prison term on the offender. 2646

(d) Except as otherwise provided in this division, if the 2647  
amount of the drug involved equals or exceeds one thousand grams 2648  
but is less than five thousand grams, trafficking in marihuana 2649  
is a felony of the third degree, and division (C) of section 2650  
2929.13 of the Revised Code applies in determining whether to 2651  
impose a prison term on the offender. If the amount of the drug 2652  
involved is within that range and if the offense was committed 2653  
in the vicinity of a school or in the vicinity of a juvenile, 2654  
trafficking in marihuana is a felony of the second degree, and 2655  
there is a presumption that a prison term shall be imposed for 2656  
the offense. 2657

(e) Except as otherwise provided in this division, if the 2658  
amount of the drug involved equals or exceeds five thousand 2659  
grams but is less than twenty thousand grams, trafficking in 2660  
marihuana is a felony of the third degree, and there is a 2661  
presumption that a prison term shall be imposed for the offense. 2662

If the amount of the drug involved is within that range and if 2663  
the offense was committed in the vicinity of a school or in the 2664  
vicinity of a juvenile, trafficking in marihuana is a felony of 2665  
the second degree, and there is a presumption that a prison term 2666  
shall be imposed for the offense. 2667

(f) Except as otherwise provided in this division, if the 2668  
amount of the drug involved equals or exceeds twenty thousand 2669  
grams but is less than forty thousand grams, trafficking in 2670  
marihuana is a felony of the second degree, and the court shall 2671  
impose as a mandatory prison term a second degree felony 2672  
mandatory prison term of five, six, seven, or eight years. If 2673  
the amount of the drug involved is within that range and if the 2674  
offense was committed in the vicinity of a school or in the 2675  
vicinity of a juvenile, trafficking in marihuana is a felony of 2676  
the first degree, and the court shall impose as a mandatory 2677  
prison term a maximum first degree felony mandatory prison term. 2678

(g) Except as otherwise provided in this division, if the 2679  
amount of the drug involved equals or exceeds forty thousand 2680  
grams, trafficking in marihuana is a felony of the second 2681  
degree, and the court shall impose as a mandatory prison term a 2682  
maximum second degree felony mandatory prison term. If the 2683  
amount of the drug involved equals or exceeds forty thousand 2684  
grams and if the offense was committed in the vicinity of a 2685  
school or in the vicinity of a juvenile, trafficking in 2686  
marihuana is a felony of the first degree, and the court shall 2687  
impose as a mandatory prison term a maximum first degree felony 2688  
mandatory prison term. 2689

(h) Except as otherwise provided in this division, if the 2690  
offense involves a gift of twenty grams or less of marihuana, 2691  
trafficking in marihuana is a minor misdemeanor upon a first 2692

offense and a misdemeanor of the third degree upon a subsequent 2693  
offense. If the offense involves a gift of twenty grams or less 2694  
of marihuana and if the offense was committed in the vicinity of 2695  
a school or in the vicinity of a juvenile, trafficking in 2696  
marihuana is a misdemeanor of the third degree. 2697

(4) If the drug involved in the violation is cocaine or a 2698  
compound, mixture, preparation, or substance containing cocaine, 2699  
whoever violates division (A) of this section is guilty of 2700  
trafficking in cocaine. The penalty for the offense shall be 2701  
determined as follows: 2702

(a) Except as otherwise provided in division (C) (4) (b), 2703  
(c), (d), (e), (f), or (g) of this section, trafficking in 2704  
cocaine is a felony of the fifth degree, and division (B) of 2705  
section 2929.13 of the Revised Code applies in determining 2706  
whether to impose a prison term on the offender. 2707

(b) Except as otherwise provided in division (C) (4) (c), 2708  
(d), (e), (f), or (g) of this section, if the offense was 2709  
committed in the vicinity of a school or in the vicinity of a 2710  
juvenile, trafficking in cocaine is a felony of the fourth 2711  
degree, and division (C) of section 2929.13 of the Revised Code 2712  
applies in determining whether to impose a prison term on the 2713  
offender. 2714

(c) Except as otherwise provided in this division, if the 2715  
amount of the drug involved equals or exceeds five grams but is 2716  
less than ten grams of cocaine, trafficking in cocaine is a 2717  
felony of the fourth degree, and division (B) of section 2929.13 2718  
of the Revised Code applies in determining whether to impose a 2719  
prison term for the offense. If the amount of the drug involved 2720  
is within that range and if the offense was committed in the 2721  
vicinity of a school or in the vicinity of a juvenile, 2722

trafficking in cocaine is a felony of the third degree, and 2723  
there is a presumption for a prison term for the offense. 2724

(d) Except as otherwise provided in this division, if the 2725  
amount of the drug involved equals or exceeds ten grams but is 2726  
less than twenty grams of cocaine, trafficking in cocaine is a 2727  
felony of the third degree, and, except as otherwise provided in 2728  
this division, there is a presumption for a prison term for the 2729  
offense. If trafficking in cocaine is a felony of the third 2730  
degree under this division and if the offender two or more times 2731  
previously has been convicted of or pleaded guilty to a felony 2732  
drug abuse offense, the court shall impose as a mandatory prison 2733  
term one of the prison terms prescribed for a felony of the 2734  
third degree. If the amount of the drug involved is within that 2735  
range and if the offense was committed in the vicinity of a 2736  
school or in the vicinity of a juvenile, trafficking in cocaine 2737  
is a felony of the second degree, and the court shall impose as 2738  
a mandatory prison term a second degree felony mandatory prison 2739  
term. 2740

(e) Except as otherwise provided in this division, if the 2741  
amount of the drug involved equals or exceeds twenty grams but 2742  
is less than twenty-seven grams of cocaine, trafficking in 2743  
cocaine is a felony of the second degree, and the court shall 2744  
impose as a mandatory prison term a second degree felony 2745  
mandatory prison term. If the amount of the drug involved is 2746  
within that range and if the offense was committed in the 2747  
vicinity of a school or in the vicinity of a juvenile, 2748  
trafficking in cocaine is a felony of the first degree, and the 2749  
court shall impose as a mandatory prison term a first degree 2750  
felony mandatory prison term. 2751

(f) If the amount of the drug involved equals or exceeds 2752

twenty-seven grams but is less than one hundred grams of cocaine 2753  
and regardless of whether the offense was committed in the 2754  
vicinity of a school or in the vicinity of a juvenile, 2755  
trafficking in cocaine is a felony of the first degree, and the 2756  
court shall impose as a mandatory prison term a first degree 2757  
felony mandatory prison term. 2758

(g) If the amount of the drug involved equals or exceeds 2759  
one hundred grams of cocaine and regardless of whether the 2760  
offense was committed in the vicinity of a school or in the 2761  
vicinity of a juvenile, trafficking in cocaine is a felony of 2762  
the first degree, the offender is a major drug offender, and the 2763  
court shall impose as a mandatory prison term a maximum first 2764  
degree felony mandatory prison term. 2765

(5) If the drug involved in the violation is L.S.D. or a 2766  
compound, mixture, preparation, or substance containing L.S.D., 2767  
whoever violates division (A) of this section is guilty of 2768  
trafficking in L.S.D. The penalty for the offense shall be 2769  
determined as follows: 2770

(a) Except as otherwise provided in division (C) (5) (b), 2771  
(c), (d), (e), (f), or (g) of this section, trafficking in 2772  
L.S.D. is a felony of the fifth degree, and division (B) of 2773  
section 2929.13 of the Revised Code applies in determining 2774  
whether to impose a prison term on the offender. 2775

(b) Except as otherwise provided in division (C) (5) (c), 2776  
(d), (e), (f), or (g) of this section, if the offense was 2777  
committed in the vicinity of a school or in the vicinity of a 2778  
juvenile, trafficking in L.S.D. is a felony of the fourth 2779  
degree, and division (C) of section 2929.13 of the Revised Code 2780  
applies in determining whether to impose a prison term on the 2781  
offender. 2782

(c) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds ten unit doses but is less than fifty unit doses of L.S.D. in a solid form or equals or exceeds one gram but is less than five grams of L.S.D. in a liquid concentrate, liquid extract, or liquid distillate form, trafficking in L.S.D. is a felony of the fourth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term for the offense. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in L.S.D. is a felony of the third degree, and there is a presumption for a prison term for the offense.

(d) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds fifty unit doses but is less than two hundred fifty unit doses of L.S.D. in a solid form or equals or exceeds five grams but is less than twenty-five grams of L.S.D. in a liquid concentrate, liquid extract, or liquid distillate form, trafficking in L.S.D. is a felony of the third degree, and, except as otherwise provided in this division, there is a presumption for a prison term for the offense. If trafficking in L.S.D. is a felony of the third degree under this division and if the offender two or more times previously has been convicted of or pleaded guilty to a felony drug abuse offense, the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the third degree. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in L.S.D. is a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison



term. 2814

(e) Except as otherwise provided in this division, if the 2815  
amount of the drug involved equals or exceeds two hundred fifty 2816  
unit doses but is less than one thousand unit doses of L.S.D. in 2817  
a solid form or equals or exceeds twenty-five grams but is less 2818  
than one hundred grams of L.S.D. in a liquid concentrate, liquid 2819  
extract, or liquid distillate form, trafficking in L.S.D. is a 2820  
felony of the second degree, and the court shall impose as a 2821  
mandatory prison term a second degree felony mandatory prison 2822  
term. If the amount of the drug involved is within that range 2823  
and if the offense was committed in the vicinity of a school or 2824  
in the vicinity of a juvenile, trafficking in L.S.D. is a felony 2825  
of the first degree, and the court shall impose as a mandatory 2826  
prison term a first degree felony mandatory prison term. 2827

(f) If the amount of the drug involved equals or exceeds 2828  
one thousand unit doses but is less than five thousand unit 2829  
doses of L.S.D. in a solid form or equals or exceeds one hundred 2830  
grams but is less than five hundred grams of L.S.D. in a liquid 2831  
concentrate, liquid extract, or liquid distillate form and 2832  
regardless of whether the offense was committed in the vicinity 2833  
of a school or in the vicinity of a juvenile, trafficking in 2834  
L.S.D. is a felony of the first degree, and the court shall 2835  
impose as a mandatory prison term a first degree felony 2836  
mandatory prison term. 2837

(g) If the amount of the drug involved equals or exceeds 2838  
five thousand unit doses of L.S.D. in a solid form or equals or 2839  
exceeds five hundred grams of L.S.D. in a liquid concentrate, 2840  
liquid extract, or liquid distillate form and regardless of 2841  
whether the offense was committed in the vicinity of a school or 2842  
in the vicinity of a juvenile, trafficking in L.S.D. is a felony 2843

of the first degree, the offender is a major drug offender, and 2844  
the court shall impose as a mandatory prison term a maximum 2845  
first degree felony mandatory prison term. 2846

(6) If the drug involved in the violation is heroin or a 2847  
compound, mixture, preparation, or substance containing heroin, 2848  
whoever violates division (A) of this section is guilty of 2849  
trafficking in heroin. The penalty for the offense shall be 2850  
determined as follows: 2851

(a) Except as otherwise provided in division (C) (6) (b), 2852  
(c), (d), (e), (f), or (g) of this section, trafficking in 2853  
heroin is a felony of the fifth degree, and division (B) of 2854  
section 2929.13 of the Revised Code applies in determining 2855  
whether to impose a prison term on the offender. 2856

(b) Except as otherwise provided in division (C) (6) (c), 2857  
(d), (e), (f), or (g) of this section, if the offense was 2858  
committed in the vicinity of a school or in the vicinity of a 2859  
juvenile, trafficking in heroin is a felony of the fourth 2860  
degree, and division (C) of section 2929.13 of the Revised Code 2861  
applies in determining whether to impose a prison term on the 2862  
offender. 2863

(c) Except as otherwise provided in this division, if the 2864  
amount of the drug involved equals or exceeds ten unit doses but 2865  
is less than fifty unit doses or equals or exceeds one gram but 2866  
is less than five grams, trafficking in heroin is a felony of 2867  
the fourth degree, and division (B) of section 2929.13 of the 2868  
Revised Code applies in determining whether to impose a prison 2869  
term for the offense. If the amount of the drug involved is 2870  
within that range and if the offense was committed in the 2871  
vicinity of a school or in the vicinity of a juvenile, 2872  
trafficking in heroin is a felony of the third degree, and there 2873

is a presumption for a prison term for the offense. 2874

(d) Except as otherwise provided in this division, if the 2875  
amount of the drug involved equals or exceeds fifty unit doses 2876  
but is less than one hundred unit doses or equals or exceeds 2877  
five grams but is less than ten grams, trafficking in heroin is 2878  
a felony of the third degree, and there is a presumption for a 2879  
prison term for the offense. If the amount of the drug involved 2880  
is within that range and if the offense was committed in the 2881  
vicinity of a school or in the vicinity of a juvenile, 2882  
trafficking in heroin is a felony of the second degree, and 2883  
there is a presumption for a prison term for the offense. 2884

(e) Except as otherwise provided in this division, if the 2885  
amount of the drug involved equals or exceeds one hundred unit 2886  
doses but is less than five hundred unit doses or equals or 2887  
exceeds ten grams but is less than fifty grams, trafficking in 2888  
heroin is a felony of the second degree, and the court shall 2889  
impose as a mandatory prison term a second degree felony 2890  
mandatory prison term. If the amount of the drug involved is 2891  
within that range and if the offense was committed in the 2892  
vicinity of a school or in the vicinity of a juvenile, 2893  
trafficking in heroin is a felony of the first degree, and the 2894  
court shall impose as a mandatory prison term a first degree 2895  
felony mandatory prison term. 2896

(f) If the amount of the drug involved equals or exceeds 2897  
five hundred unit doses but is less than one thousand unit doses 2898  
or equals or exceeds fifty grams but is less than one hundred 2899  
grams and regardless of whether the offense was committed in the 2900  
vicinity of a school or in the vicinity of a juvenile, 2901  
trafficking in heroin is a felony of the first degree, and the 2902  
court shall impose as a mandatory prison term a first degree 2903

felony mandatory prison term. 2904

(g) If the amount of the drug involved equals or exceeds 2905  
one thousand unit doses or equals or exceeds one hundred grams 2906  
and regardless of whether the offense was committed in the 2907  
vicinity of a school or in the vicinity of a juvenile, 2908  
trafficking in heroin is a felony of the first degree, the 2909  
offender is a major drug offender, and the court shall impose as 2910  
a mandatory prison term a maximum first degree felony mandatory 2911  
prison term. 2912

(7) If the drug involved in the violation is hashish or a 2913  
compound, mixture, preparation, or substance containing hashish, 2914  
whoever violates division (A) of this section is guilty of 2915  
trafficking in hashish. The penalty for the offense shall be 2916  
determined as follows: 2917

(a) Except as otherwise provided in division (C) (7) (b), 2918  
(c), (d), (e), (f), or (g) of this section, trafficking in 2919  
hashish is a felony of the fifth degree, and division (B) of 2920  
section 2929.13 of the Revised Code applies in determining 2921  
whether to impose a prison term on the offender. 2922

(b) Except as otherwise provided in division (C) (7) (c), 2923  
(d), (e), (f), or (g) of this section, if the offense was 2924  
committed in the vicinity of a school or in the vicinity of a 2925  
juvenile, trafficking in hashish is a felony of the fourth 2926  
degree, and division (B) of section 2929.13 of the Revised Code 2927  
applies in determining whether to impose a prison term on the 2928  
offender. 2929

(c) Except as otherwise provided in this division, if the 2930  
amount of the drug involved equals or exceeds ten grams but is 2931  
less than fifty grams of hashish in a solid form or equals or 2932

exceeds two grams but is less than ten grams of hashish in a 2933  
liquid concentrate, liquid extract, or liquid distillate form, 2934  
trafficking in hashish is a felony of the fourth degree, and 2935  
division (B) of section 2929.13 of the Revised Code applies in 2936  
determining whether to impose a prison term on the offender. If 2937  
the amount of the drug involved is within that range and if the 2938  
offense was committed in the vicinity of a school or in the 2939  
vicinity of a juvenile, trafficking in hashish is a felony of 2940  
the third degree, and division (C) of section 2929.13 of the 2941  
Revised Code applies in determining whether to impose a prison 2942  
term on the offender. 2943

(d) Except as otherwise provided in this division, if the 2944  
amount of the drug involved equals or exceeds fifty grams but is 2945  
less than two hundred fifty grams of hashish in a solid form or 2946  
equals or exceeds ten grams but is less than fifty grams of 2947  
hashish in a liquid concentrate, liquid extract, or liquid 2948  
distillate form, trafficking in hashish is a felony of the third 2949  
degree, and division (C) of section 2929.13 of the Revised Code 2950  
applies in determining whether to impose a prison term on the 2951  
offender. If the amount of the drug involved is within that 2952  
range and if the offense was committed in the vicinity of a 2953  
school or in the vicinity of a juvenile, trafficking in hashish 2954  
is a felony of the second degree, and there is a presumption 2955  
that a prison term shall be imposed for the offense. 2956

(e) Except as otherwise provided in this division, if the 2957  
amount of the drug involved equals or exceeds two hundred fifty 2958  
grams but is less than one thousand grams of hashish in a solid 2959  
form or equals or exceeds fifty grams but is less than two 2960  
hundred grams of hashish in a liquid concentrate, liquid 2961  
extract, or liquid distillate form, trafficking in hashish is a 2962  
felony of the third degree, and there is a presumption that a 2963

prison term shall be imposed for the offense. If the amount of  
the drug involved is within that range and if the offense was  
committed in the vicinity of a school or in the vicinity of a  
juvenile, trafficking in hashish is a felony of the second  
degree, and there is a presumption that a prison term shall be  
imposed for the offense.

(f) Except as otherwise provided in this division, if the  
amount of the drug involved equals or exceeds one thousand grams  
but is less than two thousand grams of hashish in a solid form  
or equals or exceeds two hundred grams but is less than four  
hundred grams of hashish in a liquid concentrate, liquid  
extract, or liquid distillate form, trafficking in hashish is a  
felony of the second degree, and the court shall impose as a  
mandatory prison term a second degree felony mandatory prison  
term of five, six, seven, or eight years. If the amount of the  
drug involved is within that range and if the offense was  
committed in the vicinity of a school or in the vicinity of a  
juvenile, trafficking in hashish is a felony of the first  
degree, and the court shall impose as a mandatory prison term a  
maximum first degree felony mandatory prison term.

(g) Except as otherwise provided in this division, if the  
amount of the drug involved equals or exceeds two thousand grams  
of hashish in a solid form or equals or exceeds four hundred  
grams of hashish in a liquid concentrate, liquid extract, or  
liquid distillate form, trafficking in hashish is a felony of  
the second degree, and the court shall impose as a mandatory  
prison term a maximum second degree felony mandatory prison  
term. If the amount of the drug involved equals or exceeds two  
thousand grams of hashish in a solid form or equals or exceeds  
four hundred grams of hashish in a liquid concentrate, liquid  
extract, or liquid distillate form and if the offense was

committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in hashish is a felony of the first degree, and the court shall impose as a mandatory prison term a maximum first degree felony mandatory prison term.

(8) If the drug involved in the violation is a controlled substance analog or compound, mixture, preparation, or substance that contains a controlled substance analog, whoever violates division (A) of this section is guilty of trafficking in a controlled substance analog. The penalty for the offense shall be determined as follows:

(a) Except as otherwise provided in division (C) (8) (b), (c), (d), (e), (f), or (g) of this section, trafficking in a controlled substance analog is a felony of the fifth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(b) Except as otherwise provided in division (C) (8) (c), (d), (e), (f), or (g) of this section, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in a controlled substance analog is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(c) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds ten grams but is less than twenty grams, trafficking in a controlled substance analog is a felony of the fourth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term for the offense. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a

juvenile, trafficking in a controlled substance analog is a 3025  
felony of the third degree, and there is a presumption for a 3026  
prison term for the offense. 3027

(d) Except as otherwise provided in this division, if the 3028  
amount of the drug involved equals or exceeds twenty grams but 3029  
is less than thirty grams, trafficking in a controlled substance 3030  
analog is a felony of the third degree, and there is a 3031  
presumption for a prison term for the offense. If the amount of 3032  
the drug involved is within that range and if the offense was 3033  
committed in the vicinity of a school or in the vicinity of a 3034  
juvenile, trafficking in a controlled substance analog is a 3035  
felony of the second degree, and there is a presumption for a 3036  
prison term for the offense. 3037

(e) Except as otherwise provided in this division, if the 3038  
amount of the drug involved equals or exceeds thirty grams but 3039  
is less than forty grams, trafficking in a controlled substance 3040  
analog is a felony of the second degree, and the court shall 3041  
impose as a mandatory prison term a second degree felony 3042  
mandatory prison term. If the amount of the drug involved is 3043  
within that range and if the offense was committed in the 3044  
vicinity of a school or in the vicinity of a juvenile, 3045  
trafficking in a controlled substance analog is a felony of the 3046  
first degree, and the court shall impose as a mandatory prison 3047  
term a first degree felony mandatory prison term. 3048

(f) If the amount of the drug involved equals or exceeds 3049  
forty grams but is less than fifty grams and regardless of 3050  
whether the offense was committed in the vicinity of a school or 3051  
in the vicinity of a juvenile, trafficking in a controlled 3052  
substance analog is a felony of the first degree, and the court 3053  
shall impose as a mandatory prison term a first degree felony 3054



mandatory prison term. 3055

(g) If the amount of the drug involved equals or exceeds 3056  
fifty grams and regardless of whether the offense was committed 3057  
in the vicinity of a school or in the vicinity of a juvenile, 3058  
trafficking in a controlled substance analog is a felony of the 3059  
first degree, the offender is a major drug offender, and the 3060  
court shall impose as a mandatory prison term a maximum first 3061  
degree felony mandatory prison term. 3062

(9) If the drug involved in the violation is a fentanyl- 3063  
related compound or a compound, mixture, preparation, or 3064  
substance containing a fentanyl-related compound and division 3065  
(C) (10) (a) of this section does not apply to the drug involved, 3066  
whoever violates division (A) of this section is guilty of 3067  
trafficking in a fentanyl-related compound. The penalty for the 3068  
offense shall be determined as follows: 3069

(a) Except as otherwise provided in division (C) (9) (b), 3070  
(c), (d), (e), (f), (g), or (h) of this section, trafficking in 3071  
a fentanyl-related compound is a felony of the fifth degree, and 3072  
division (B) of section 2929.13 of the Revised Code applies in 3073  
determining whether to impose a prison term on the offender. 3074

(b) Except as otherwise provided in division (C) (9) (c), 3075  
(d), (e), (f), (g), or (h) of this section, if the offense was 3076  
committed in the vicinity of a school or in the vicinity of a 3077  
juvenile, trafficking in a fentanyl-related compound is a felony 3078  
of the fourth degree, and division (C) of section 2929.13 of the 3079  
Revised Code applies in determining whether to impose a prison 3080  
term on the offender. 3081

(c) Except as otherwise provided in this division, if the 3082  
amount of the drug involved equals or exceeds ten unit doses but 3083

is less than fifty unit doses or equals or exceeds one gram but 3084  
is less than five grams, trafficking in a fentanyl-related 3085  
compound is a felony of the fourth degree, and division (B) of 3086  
section 2929.13 of the Revised Code applies in determining 3087  
whether to impose a prison term for the offense. If the amount 3088  
of the drug involved is within that range and if the offense was 3089  
committed in the vicinity of a school or in the vicinity of a 3090  
juvenile, trafficking in a fentanyl-related compound is a felony 3091  
of the third degree, and there is a presumption for a prison 3092  
term for the offense. 3093

(d) Except as otherwise provided in this division, if the 3094  
amount of the drug involved equals or exceeds fifty unit doses 3095  
but is less than one hundred unit doses or equals or exceeds 3096  
five grams but is less than ten grams, trafficking in a 3097  
fentanyl-related compound is a felony of the third degree, and 3098  
there is a presumption for a prison term for the offense. If the 3099  
amount of the drug involved is within that range and if the 3100  
offense was committed in the vicinity of a school or in the 3101  
vicinity of a juvenile, trafficking in a fentanyl-related 3102  
compound is a felony of the second degree, and there is a 3103  
presumption for a prison term for the offense. 3104

(e) Except as otherwise provided in this division, if the 3105  
amount of the drug involved equals or exceeds one hundred unit 3106  
doses but is less than two hundred unit doses or equals or 3107  
exceeds ten grams but is less than twenty grams, trafficking in 3108  
a fentanyl-related compound is a felony of the second degree, 3109  
and the court shall impose as a mandatory prison term one of the 3110  
prison terms prescribed for a felony of the second degree. If 3111  
the amount of the drug involved is within that range and if the 3112  
offense was committed in the vicinity of a school or in the 3113  
vicinity of a juvenile, trafficking in a fentanyl-related 3114

compound is a felony of the first degree, and the court shall 3115  
impose as a mandatory prison term one of the prison terms 3116  
prescribed for a felony of the first degree. 3117

(f) If the amount of the drug involved equals or exceeds 3118  
two hundred unit doses but is less than five hundred unit doses 3119  
or equals or exceeds twenty grams but is less than fifty grams 3120  
and regardless of whether the offense was committed in the 3121  
vicinity of a school or in the vicinity of a juvenile, 3122  
trafficking in a fentanyl-related compound is a felony of the 3123  
first degree, and the court shall impose as a mandatory prison 3124  
term one of the prison terms prescribed for a felony of the 3125  
first degree. 3126

(g) If the amount of the drug involved equals or exceeds 3127  
five hundred unit doses but is less than one thousand unit doses 3128  
or equals or exceeds fifty grams but is less than one hundred 3129  
grams and regardless of whether the offense was committed in the 3130  
vicinity of a school or in the vicinity of a juvenile, 3131  
trafficking in a fentanyl-related compound is a felony of the 3132  
first degree, and the court shall impose as a mandatory prison 3133  
term the maximum prison term prescribed for a felony of the 3134  
first degree. 3135

(h) If the amount of the drug involved equals or exceeds 3136  
one thousand unit doses or equals or exceeds one hundred grams 3137  
and regardless of whether the offense was committed in the 3138  
vicinity of a school or in the vicinity of a juvenile, 3139  
trafficking in a fentanyl-related compound is a felony of the 3140  
first degree, the offender is a major drug offender, and the 3141  
court shall impose as a mandatory prison term the maximum prison 3142  
term prescribed for a felony of the first degree. 3143

(10) If the drug involved in the violation is a compound, 3144

mixture, preparation, or substance that is a combination of a 3145  
fentanyl-related compound and marihuana, one of the following 3146  
applies: 3147

(a) Except as otherwise provided in division (C)(10)(b) of 3148  
this section, the offender is guilty of trafficking in marihuana 3149  
and shall be punished under division (C)(3) of this section. The 3150  
offender is not guilty of trafficking in a fentanyl-related 3151  
compound and shall not be charged with, convicted of, or 3152  
punished under division (C)(9) of this section for trafficking 3153  
in a fentanyl-related compound. 3154

(b) If the offender knows or has reason to know that the 3155  
compound, mixture, preparation, or substance that is the drug 3156  
involved contains a fentanyl-related compound, the offender is 3157  
guilty of trafficking in a fentanyl-related compound and shall 3158  
be punished under division (C)(9) of this section. 3159

(D) In addition to any prison term authorized or required 3160  
by division (C) of this section and sections 2929.13 and 2929.14 3161  
of the Revised Code, and in addition to any other sanction 3162  
imposed for the offense under this section or sections 2929.11 3163  
to 2929.18 of the Revised Code, the court that sentences an 3164  
offender who is convicted of or pleads guilty to a violation of 3165  
division (A) of this section may suspend the driver's or 3166  
commercial driver's license or permit of the offender in 3167  
accordance with division (G) of this section. However, if the 3168  
offender pleaded guilty to or was convicted of a violation of 3169  
section 4511.19 of the Revised Code or a substantially similar 3170  
municipal ordinance or the law of another state or the United 3171  
States arising out of the same set of circumstances as the 3172  
violation, the court shall suspend the offender's driver's or 3173  
commercial driver's license or permit in accordance with 3174

division (G) of this section. If applicable, the court also 3175  
shall do the following: 3176

(1) If the violation of division (A) of this section is a 3177  
felony of the first, second, or third degree, the court shall 3178  
impose upon the offender the mandatory fine specified for the 3179  
offense under division (B) (1) of section 2929.18 of the Revised 3180  
Code unless, as specified in that division, the court determines 3181  
that the offender is indigent. Except as otherwise provided in 3182  
division (H) (1) of this section, a mandatory fine or any other 3183  
fine imposed for a violation of this section is subject to 3184  
division (F) of this section. If a person is charged with a 3185  
violation of this section that is a felony of the first, second, 3186  
or third degree, posts ~~bail~~ monetary bond, and forfeits the 3187  
bail, the clerk of the court shall pay the forfeited bail 3188  
pursuant to divisions (D) (1) and (F) of this section, as if the 3189  
forfeited bail was a fine imposed for a violation of this 3190  
section. If any amount of the forfeited bail remains after that 3191  
payment and if a fine is imposed under division (H) (1) of this 3192  
section, the clerk of the court shall pay the remaining amount 3193  
of the forfeited bail pursuant to divisions (H) (2) and (3) of 3194  
this section, as if that remaining amount was a fine imposed 3195  
under division (H) (1) of this section. 3196

(2) If the offender is a professionally licensed person, 3197  
the court immediately shall comply with section 2925.38 of the 3198  
Revised Code. 3199

(E) When a person is charged with the sale of or offer to 3200  
sell a bulk amount or a multiple of a bulk amount of a 3201  
controlled substance, the jury, or the court trying the accused, 3202  
shall determine the amount of the controlled substance involved 3203  
at the time of the offense and, if a guilty verdict is returned, 3204

shall return the findings as part of the verdict. In any such 3205  
case, it is unnecessary to find and return the exact amount of 3206  
the controlled substance involved, and it is sufficient if the 3207  
finding and return is to the effect that the amount of the 3208  
controlled substance involved is the requisite amount, or that 3209  
the amount of the controlled substance involved is less than the 3210  
requisite amount. 3211

(F) (1) Notwithstanding any contrary provision of section 3212  
3719.21 of the Revised Code and except as provided in division 3213  
(H) of this section, the clerk of the court shall pay any 3214  
mandatory fine imposed pursuant to division (D) (1) of this 3215  
section and any fine other than a mandatory fine that is imposed 3216  
for a violation of this section pursuant to division (A) or (B) 3217  
(5) of section 2929.18 of the Revised Code to the county, 3218  
township, municipal corporation, park district, as created 3219  
pursuant to section 511.18 or 1545.04 of the Revised Code, or 3220  
state law enforcement agencies in this state that primarily were 3221  
responsible for or involved in making the arrest of, and in 3222  
prosecuting, the offender. However, the clerk shall not pay a 3223  
mandatory fine so imposed to a law enforcement agency unless the 3224  
agency has adopted a written internal control policy under 3225  
division (F) (2) of this section that addresses the use of the 3226  
fine moneys that it receives. Each agency shall use the 3227  
mandatory fines so paid to subsidize the agency's law 3228  
enforcement efforts that pertain to drug offenses, in accordance 3229  
with the written internal control policy adopted by the 3230  
recipient agency under division (F) (2) of this section. 3231

(2) Prior to receiving any fine moneys under division (F) 3232  
(1) of this section or division (B) of section 2925.42 of the 3233  
Revised Code, a law enforcement agency shall adopt a written 3234  
internal control policy that addresses the agency's use and 3235

disposition of all fine moneys so received and that provides for 3236  
the keeping of detailed financial records of the receipts of 3237  
those fine moneys, the general types of expenditures made out of 3238  
those fine moneys, and the specific amount of each general type 3239  
of expenditure. The policy shall not provide for or permit the 3240  
identification of any specific expenditure that is made in an 3241  
ongoing investigation. All financial records of the receipts of 3242  
those fine moneys, the general types of expenditures made out of 3243  
those fine moneys, and the specific amount of each general type 3244  
of expenditure by an agency are public records open for 3245  
inspection under section 149.43 of the Revised Code. 3246  
Additionally, a written internal control policy adopted under 3247  
this division is such a public record, and the agency that 3248  
adopted it shall comply with it. 3249

(3) As used in division (F) of this section: 3250

(a) "Law enforcement agencies" includes, but is not 3251  
limited to, the state board of pharmacy and the office of a 3252  
prosecutor. 3253

(b) "Prosecutor" has the same meaning as in section 3254  
2935.01 of the Revised Code. 3255

(G) (1) If the sentencing court suspends the offender's 3256  
driver's or commercial driver's license or permit under division 3257  
(D) of this section or any other provision of this chapter, the 3258  
court shall suspend the license, by order, for not more than 3259  
five years. If an offender's driver's or commercial driver's 3260  
license or permit is suspended pursuant to this division, the 3261  
offender, at any time after the expiration of two years from the 3262  
day on which the offender's sentence was imposed or from the day 3263  
on which the offender finally was released from a prison term 3264  
under the sentence, whichever is later, may file a motion with 3265

the sentencing court requesting termination of the suspension; 3266  
upon the filing of such a motion and the court's finding of good 3267  
cause for the termination, the court may terminate the 3268  
suspension. 3269

(2) Any offender who received a mandatory suspension of 3270  
the offender's driver's or commercial driver's license or permit 3271  
under this section prior to September 13, 2016, may file a 3272  
motion with the sentencing court requesting the termination of 3273  
the suspension. However, an offender who pleaded guilty to or 3274  
was convicted of a violation of section 4511.19 of the Revised 3275  
Code or a substantially similar municipal ordinance or law of 3276  
another state or the United States that arose out of the same 3277  
set of circumstances as the violation for which the offender's 3278  
license or permit was suspended under this section shall not 3279  
file such a motion. 3280

Upon the filing of a motion under division (G)(2) of this 3281  
section, the sentencing court, in its discretion, may terminate 3282  
the suspension. 3283

(H)(1) In addition to any prison term authorized or 3284  
required by division (C) of this section and sections 2929.13 3285  
and 2929.14 of the Revised Code, in addition to any other 3286  
penalty or sanction imposed for the offense under this section 3287  
or sections 2929.11 to 2929.18 of the Revised Code, and in 3288  
addition to the forfeiture of property in connection with the 3289  
offense as prescribed in Chapter 2981. of the Revised Code, the 3290  
court that sentences an offender who is convicted of or pleads 3291  
guilty to a violation of division (A) of this section may impose 3292  
upon the offender an additional fine specified for the offense 3293  
in division (B)(4) of section 2929.18 of the Revised Code. A 3294  
fine imposed under division (H)(1) of this section is not 3295



subject to division (F) of this section and shall be used solely 3296  
for the support of one or more eligible community addiction 3297  
services providers in accordance with divisions (H) (2) and (3) 3298  
of this section. 3299

(2) The court that imposes a fine under division (H) (1) of 3300  
this section shall specify in the judgment that imposes the fine 3301  
one or more eligible community addiction services providers for 3302  
the support of which the fine money is to be used. No community 3303  
addiction services provider shall receive or use money paid or 3304  
collected in satisfaction of a fine imposed under division (H) 3305  
(1) of this section unless the services provider is specified in 3306  
the judgment that imposes the fine. No community addiction 3307  
services provider shall be specified in the judgment unless the 3308  
services provider is an eligible community addiction services 3309  
provider and, except as otherwise provided in division (H) (2) of 3310  
this section, unless the services provider is located in the 3311  
county in which the court that imposes the fine is located or in 3312  
a county that is immediately contiguous to the county in which 3313  
that court is located. If no eligible community addiction 3314  
services provider is located in any of those counties, the 3315  
judgment may specify an eligible community addiction services 3316  
provider that is located anywhere within this state. 3317

(3) Notwithstanding any contrary provision of section 3318  
3719.21 of the Revised Code, the clerk of the court shall pay 3319  
any fine imposed under division (H) (1) of this section to the 3320  
eligible community addiction services provider specified 3321  
pursuant to division (H) (2) of this section in the judgment. The 3322  
eligible community addiction services provider that receives the 3323  
fine moneys shall use the moneys only for the alcohol and drug 3324  
addiction services identified in the application for 3325  
certification of services under section 5119.36 of the Revised 3326

Code or in the application for a license under section 5119.37 3327  
of the Revised Code filed with the department of mental health 3328  
and addiction services by the community addiction services 3329  
provider specified in the judgment. 3330

(4) Each community addiction services provider that 3331  
receives in a calendar year any fine moneys under division (H) 3332  
(3) of this section shall file an annual report covering that 3333  
calendar year with the court of common pleas and the board of 3334  
county commissioners of the county in which the services 3335  
provider is located, with the court of common pleas and the 3336  
board of county commissioners of each county from which the 3337  
services provider received the moneys if that county is 3338  
different from the county in which the services provider is 3339  
located, and with the attorney general. The community addiction 3340  
services provider shall file the report no later than the first 3341  
day of March in the calendar year following the calendar year in 3342  
which the services provider received the fine moneys. The report 3343  
shall include statistics on the number of persons served by the 3344  
community addiction services provider, identify the types of 3345  
alcohol and drug addiction services provided to those persons, 3346  
and include a specific accounting of the purposes for which the 3347  
fine moneys received were used. No information contained in the 3348  
report shall identify, or enable a person to determine the 3349  
identity of, any person served by the community addiction 3350  
services provider. Each report received by a court of common 3351  
pleas, a board of county commissioners, or the attorney general 3352  
is a public record open for inspection under section 149.43 of 3353  
the Revised Code. 3354

(5) As used in divisions (H) (1) to (5) of this section: 3355

(a) "Community addiction services provider" and "alcohol 3356

and drug addiction services" have the same meanings as in 3357  
section 5119.01 of the Revised Code. 3358

(b) "Eligible community addiction services provider" means 3359  
a community addiction services provider, including a community 3360  
addiction services provider that operates an opioid treatment 3361  
program licensed under section 5119.37 of the Revised Code. 3362

(I) As used in this section, "drug" includes any substance 3363  
that is represented to be a drug. 3364

(J) It is an affirmative defense to a charge of 3365  
trafficking in a controlled substance analog under division (C) 3366  
(8) of this section that the person charged with violating that 3367  
offense sold or offered to sell, or prepared for shipment, 3368  
shipped, transported, delivered, prepared for distribution, or 3369  
distributed one of the following items that are excluded from 3370  
the meaning of "controlled substance analog" under section 3371  
3719.01 of the Revised Code: 3372

(1) A controlled substance; 3373

(2) Any substance for which there is an approved new drug 3374  
application; 3375

(3) With respect to a particular person, any substance if 3376  
an exemption is in effect for investigational use for that 3377  
person pursuant to federal law to the extent that conduct with 3378  
respect to that substance is pursuant to that exemption. 3379

**Sec. 2925.04.** (A) No person shall knowingly cultivate 3380  
marihuana or knowingly manufacture or otherwise engage in any 3381  
part of the production of a controlled substance. 3382

(B) This section does not apply to any person listed in 3383  
division (B)(1), (2), or (3) of section 2925.03 of the Revised 3384

Code to the extent and under the circumstances described in 3385  
those divisions. 3386

(C) (1) Whoever commits a violation of division (A) of this 3387  
section that involves any drug other than marihuana is guilty of 3388  
illegal manufacture of drugs, and whoever commits a violation of 3389  
division (A) of this section that involves marihuana is guilty 3390  
of illegal cultivation of marihuana. 3391

(2) Except as otherwise provided in this division, if the 3392  
drug involved in the violation of division (A) of this section 3393  
is any compound, mixture, preparation, or substance included in 3394  
schedule I or II, with the exception of methamphetamine or 3395  
marihuana, illegal manufacture of drugs is a felony of the 3396  
second degree, and, subject to division (E) of this section, the 3397  
court shall impose as a mandatory prison term a second degree 3398  
felony mandatory prison term. 3399

If the drug involved in the violation is any compound, 3400  
mixture, preparation, or substance included in schedule I or II, 3401  
with the exception of methamphetamine or marihuana, and if the 3402  
offense was committed in the vicinity of a juvenile or in the 3403  
vicinity of a school, illegal manufacture of drugs is a felony 3404  
of the first degree, and, subject to division (E) of this 3405  
section, the court shall impose as a mandatory prison term a 3406  
first degree felony mandatory prison term. 3407

(3) If the drug involved in the violation of division (A) 3408  
of this section is methamphetamine, the penalty for the 3409  
violation shall be determined as follows: 3410

(a) Except as otherwise provided in division (C) (3) (b) of 3411  
this section, if the drug involved in the violation is 3412  
methamphetamine, illegal manufacture of drugs is a felony of the 3413

second degree, and, subject to division (E) of this section, the court shall impose a mandatory prison term on the offender determined in accordance with this division. Except as otherwise provided in this division, the court shall impose as a mandatory prison term a second degree felony mandatory prison term that is not less than three years. If the offender previously has been convicted of or pleaded guilty to a violation of division (A) of this section, a violation of division (B) (6) of section 2919.22 of the Revised Code, or a violation of division (A) of section 2925.041 of the Revised Code, the court shall impose as a mandatory prison term a second degree felony mandatory prison term that is not less than five years.

(b) If the drug involved in the violation is methamphetamine and if the offense was committed in the vicinity of a juvenile, in the vicinity of a school, or on public premises, illegal manufacture of drugs is a felony of the first degree, and, subject to division (E) of this section, the court shall impose a mandatory prison term on the offender determined in accordance with this division. Except as otherwise provided in this division, the court shall impose as a mandatory prison term a first degree felony mandatory prison term that is not less than four years. If the offender previously has been convicted of or pleaded guilty to a violation of division (A) of this section, a violation of division (B) (6) of section 2919.22 of the Revised Code, or a violation of division (A) of section 2925.041 of the Revised Code, the court shall impose as a mandatory prison term a first degree felony mandatory prison term that is not less than five years.

(4) If the drug involved in the violation of division (A) of this section is any compound, mixture, preparation, or substance included in schedule III, IV, or V, illegal

manufacture of drugs is a felony of the third degree or, if the  
offense was committed in the vicinity of a school or in the  
vicinity of a juvenile, a felony of the second degree, and there  
is a presumption for a prison term for the offense.

(5) If the drug involved in the violation is marihuana,  
the penalty for the offense shall be determined as follows:

(a) Except as otherwise provided in division (C) (5) (b),  
(c), (d), (e), or (f) of this section, illegal cultivation of  
marihuana is a minor misdemeanor or, if the offense was  
committed in the vicinity of a school or in the vicinity of a  
juvenile, a misdemeanor of the fourth degree.

(b) If the amount of marihuana involved equals or exceeds  
one hundred grams but is less than two hundred grams, illegal  
cultivation of marihuana is a misdemeanor of the fourth degree  
or, if the offense was committed in the vicinity of a school or  
in the vicinity of a juvenile, a misdemeanor of the third  
degree.

(c) If the amount of marihuana involved equals or exceeds  
two hundred grams but is less than one thousand grams, illegal  
cultivation of marihuana is a felony of the fifth degree or, if  
the offense was committed in the vicinity of a school or in the  
vicinity of a juvenile, a felony of the fourth degree, and  
division (B) of section 2929.13 of the Revised Code applies in  
determining whether to impose a prison term on the offender.

(d) If the amount of marihuana involved equals or exceeds  
one thousand grams but is less than five thousand grams, illegal  
cultivation of marihuana is a felony of the third degree or, if  
the offense was committed in the vicinity of a school or in the  
vicinity of a juvenile, a felony of the second degree, and

division (C) of section 2929.13 of the Revised Code applies in 3474  
determining whether to impose a prison term on the offender. 3475

(e) If the amount of marihuana involved equals or exceeds 3476  
five thousand grams but is less than twenty thousand grams, 3477  
illegal cultivation of marihuana is a felony of the third degree 3478  
or, if the offense was committed in the vicinity of a school or 3479  
in the vicinity of a juvenile, a felony of the second degree, 3480  
and there is a presumption for a prison term for the offense. 3481

(f) Except as otherwise provided in this division, if the 3482  
amount of marihuana involved equals or exceeds twenty thousand 3483  
grams, illegal cultivation of marihuana is a felony of the 3484  
second degree, and the court shall impose as a mandatory prison 3485  
term a maximum second degree felony mandatory prison term. If 3486  
the amount of the drug involved equals or exceeds twenty 3487  
thousand grams and if the offense was committed in the vicinity 3488  
of a school or in the vicinity of a juvenile, illegal 3489  
cultivation of marihuana is a felony of the first degree, and 3490  
the court shall impose as a mandatory prison term a maximum 3491  
first degree felony mandatory prison term. 3492

(D) In addition to any prison term authorized or required 3493  
by division (C) or (E) of this section and sections 2929.13 and 3494  
2929.14 of the Revised Code and in addition to any other 3495  
sanction imposed for the offense under this section or sections 3496  
2929.11 to 2929.18 of the Revised Code, the court that sentences 3497  
an offender who is convicted of or pleads guilty to a violation 3498  
of division (A) of this section may suspend the offender's 3499  
driver's or commercial driver's license or permit in accordance 3500  
with division (G) of section 2925.03 of the Revised Code. 3501  
However, if the offender pleaded guilty to or was convicted of a 3502  
violation of section 4511.19 of the Revised Code or a 3503

substantially similar municipal ordinance or the law of another 3504  
state or the United States arising out of the same set of 3505  
circumstances as the violation, the court shall suspend the 3506  
offender's driver's or commercial driver's license or permit in 3507  
accordance with division (G) of section 2925.03 of the Revised 3508  
Code. If applicable, the court also shall do the following: 3509

(1) If the violation of division (A) of this section is a 3510  
felony of the first, second, or third degree, the court shall 3511  
impose upon the offender the mandatory fine specified for the 3512  
offense under division (B) (1) of section 2929.18 of the Revised 3513  
Code unless, as specified in that division, the court determines 3514  
that the offender is indigent. The clerk of the court shall pay 3515  
a mandatory fine or other fine imposed for a violation of this 3516  
section pursuant to division (A) of section 2929.18 of the 3517  
Revised Code in accordance with and subject to the requirements 3518  
of division (F) of section 2925.03 of the Revised Code. The 3519  
agency that receives the fine shall use the fine as specified in 3520  
division (F) of section 2925.03 of the Revised Code. If a person 3521  
is charged with a violation of this section that is a felony of 3522  
the first, second, or third degree, posts ~~bail~~ monetary bond, 3523  
and forfeits the bail, the clerk shall pay the forfeited bail as 3524  
if the forfeited bail were a fine imposed for a violation of 3525  
this section. 3526

(2) If the offender is a professionally licensed person, 3527  
the court immediately shall comply with section 2925.38 of the 3528  
Revised Code. 3529

(E) Notwithstanding the prison term otherwise authorized 3530  
or required for the offense under division (C) of this section 3531  
and sections 2929.13 and 2929.14 of the Revised Code, if the 3532  
violation of division (A) of this section involves the sale, 3533



offer to sell, or possession of a schedule I or II controlled 3534  
substance, with the exception of marihuana, and if the court 3535  
imposing sentence upon the offender finds that the offender as a 3536  
result of the violation is a major drug offender and is guilty 3537  
of a specification of the type described in division (A) of 3538  
section 2941.1410 of the Revised Code, the court, in lieu of the 3539  
prison term otherwise authorized or required, shall impose upon 3540  
the offender the mandatory prison term specified in division (B) 3541  
(3) of section 2929.14 of the Revised Code. 3542

(F) It is an affirmative defense, as provided in section 3543  
2901.05 of the Revised Code, to a charge under this section for 3544  
a fifth degree felony violation of illegal cultivation of 3545  
marihuana that the marihuana that gave rise to the charge is in 3546  
an amount, is in a form, is prepared, compounded, or mixed with 3547  
substances that are not controlled substances in a manner, or is 3548  
possessed or cultivated under any other circumstances that 3549  
indicate that the marihuana was solely for personal use. 3550

Notwithstanding any contrary provision of division (F) of 3551  
this section, if, in accordance with section 2901.05 of the 3552  
Revised Code, a person who is charged with a violation of 3553  
illegal cultivation of marihuana that is a felony of the fifth 3554  
degree sustains the burden of going forward with evidence of and 3555  
establishes by a preponderance of the evidence the affirmative 3556  
defense described in this division, the person may be prosecuted 3557  
for and may be convicted of or plead guilty to a misdemeanor 3558  
violation of illegal cultivation of marihuana. 3559

(G) Arrest or conviction for a minor misdemeanor violation 3560  
of this section does not constitute a criminal record and need 3561  
not be reported by the person so arrested or convicted in 3562  
response to any inquiries about the person's criminal record, 3563

including any inquiries contained in an application for 3564  
employment, a license, or any other right or privilege or made 3565  
in connection with the person's appearance as a witness. 3566

(H) (1) If the sentencing court suspends the offender's 3567  
driver's or commercial driver's license or permit under this 3568  
section in accordance with division (G) of section 2925.03 of 3569  
the Revised Code, the offender may request termination of, and 3570  
the court may terminate, the suspension of the offender in 3571  
accordance with that division. 3572

(2) Any offender who received a mandatory suspension of 3573  
the offender's driver's or commercial driver's license or permit 3574  
under this section prior to September 13, 2016, may file a 3575  
motion with the sentencing court requesting the termination of 3576  
the suspension. However, an offender who pleaded guilty to or 3577  
was convicted of a violation of section 4511.19 of the Revised 3578  
Code or a substantially similar municipal ordinance or law of 3579  
another state or the United States that arose out of the same 3580  
set of circumstances as the violation for which the offender's 3581  
license or permit was suspended under this section shall not 3582  
file such a motion. 3583

Upon the filing of a motion under division (H) (2) of this 3584  
section, the sentencing court, in its discretion, may terminate 3585  
the suspension. 3586

**Sec. 2925.041.** (A) No person shall knowingly assemble or 3587  
possess one or more chemicals that may be used to manufacture a 3588  
controlled substance in schedule I or II with the intent to 3589  
manufacture a controlled substance in schedule I or II in 3590  
violation of section 2925.04 of the Revised Code. 3591

(B) In a prosecution under this section, it is not 3592

necessary to allege or prove that the offender assembled or 3593  
possessed all chemicals necessary to manufacture a controlled 3594  
substance in schedule I or II. The assembly or possession of a 3595  
single chemical that may be used in the manufacture of a 3596  
controlled substance in schedule I or II, with the intent to 3597  
manufacture a controlled substance in either schedule, is 3598  
sufficient to violate this section. 3599

(C) Whoever violates this section is guilty of illegal 3600  
assembly or possession of chemicals for the manufacture of 3601  
drugs. Except as otherwise provided in this division, illegal 3602  
assembly or possession of chemicals for the manufacture of drugs 3603  
is a felony of the third degree, and, except as otherwise 3604  
provided in division (C)(1) or (2) of this section, division (C) 3605  
of section 2929.13 of the Revised Code applies in determining 3606  
whether to impose a prison term on the offender. If the offense 3607  
was committed in the vicinity of a juvenile or in the vicinity 3608  
of a school, illegal assembly or possession of chemicals for the 3609  
manufacture of drugs is a felony of the second degree, and, 3610  
except as otherwise provided in division (C)(1) or (2) of this 3611  
section, division (C) of section 2929.13 of the Revised Code 3612  
applies in determining whether to impose a prison term on the 3613  
offender. If the violation of division (A) of this section is a 3614  
felony of the third degree under this division and if the 3615  
chemical or chemicals assembled or possessed in violation of 3616  
division (A) of this section may be used to manufacture 3617  
methamphetamine, there either is a presumption for a prison term 3618  
for the offense or the court shall impose a mandatory prison 3619  
term on the offender, determined as follows: 3620

(1) Except as otherwise provided in this division, there 3621  
is a presumption for a prison term for the offense. If the 3622  
offender two or more times previously has been convicted of or 3623

pleaded guilty to a felony drug abuse offense, except as 3624  
otherwise provided in this division, the court shall impose as a 3625  
mandatory prison term one of the prison terms prescribed for a 3626  
felony of the third degree that is not less than two years. If 3627  
the offender two or more times previously has been convicted of 3628  
or pleaded guilty to a felony drug abuse offense and if at least 3629  
one of those previous convictions or guilty pleas was to a 3630  
violation of division (A) of this section, a violation of 3631  
division (B) (6) of section 2919.22 of the Revised Code, or a 3632  
violation of division (A) of section 2925.04 of the Revised 3633  
Code, the court shall impose as a mandatory prison term one of 3634  
the prison terms prescribed for a felony of the third degree 3635  
that is not less than five years. 3636

(2) If the violation of division (A) of this section is a 3637  
felony of the second degree under division (C) of this section 3638  
and the chemical or chemicals assembled or possessed in 3639  
committing the violation may be used to manufacture 3640  
methamphetamine, the court shall impose as a mandatory prison 3641  
term a second degree felony mandatory prison term that is not 3642  
less than three years. If the violation of division (A) of this 3643  
section is a felony of the second degree under division (C) of 3644  
this section, if the chemical or chemicals assembled or 3645  
possessed in committing the violation may be used to manufacture 3646  
methamphetamine, and if the offender previously has been 3647  
convicted of or pleaded guilty to a violation of division (A) of 3648  
this section, a violation of division (B) (6) of section 2919.22 3649  
of the Revised Code, or a violation of division (A) of section 3650  
2925.04 of the Revised Code, the court shall impose as a 3651  
mandatory prison term a second degree felony mandatory prison 3652  
term that is not less than five years. 3653

(D) In addition to any prison term authorized by division 3654

(C) of this section and sections 2929.13 and 2929.14 of the Revised Code and in addition to any other sanction imposed for the offense under this section or sections 2929.11 to 2929.18 of the Revised Code, the court that sentences an offender who is convicted of or pleads guilty to a violation of this section may suspend the offender's driver's or commercial driver's license or permit in accordance with division (G) of section 2925.03 of the Revised Code. However, if the offender pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or the law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender's driver's or commercial driver's license or permit in accordance with division (G) of section 2925.03 of the Revised Code. If applicable, the court also shall do the following:

(1) The court shall impose upon the offender the mandatory fine specified for the offense under division (B)(1) of section 2929.18 of the Revised Code unless, as specified in that division, the court determines that the offender is indigent. The clerk of the court shall pay a mandatory fine or other fine imposed for a violation of this section under division (A) of section 2929.18 of the Revised Code in accordance with and subject to the requirements of division (F) of section 2925.03 of the Revised Code. The agency that receives the fine shall use the fine as specified in division (F) of section 2925.03 of the Revised Code. If a person charged with a violation of this section posts ~~bail~~ a monetary bond and forfeits the bail, the clerk shall pay the forfeited bail as if the forfeited bail were a fine imposed for a violation of this section.

(2) If the offender is a professionally licensed person or

a person who has been admitted to the bar by order of the 3686  
supreme court in compliance with its prescribed and published 3687  
rules, the court shall comply with section 2925.38 of the 3688  
Revised Code. 3689

(E) (1) If the sentencing court suspends the offender's 3690  
driver's or commercial driver's license or permit under this 3691  
section in accordance with division (G) of section 2925.03 of 3692  
the Revised Code, the offender may request termination of, and 3693  
the court may terminate, the suspension of the offender in 3694  
accordance with that division. 3695

(2) Any offender who received a mandatory suspension of 3696  
the offender's driver's or commercial driver's license or permit 3697  
under this section prior to September 13, 2016, may file a 3698  
motion with the sentencing court requesting the termination of 3699  
the suspension. However, an offender who pleaded guilty to or 3700  
was convicted of a violation of section 4511.19 of the Revised 3701  
Code or a substantially similar municipal ordinance or law of 3702  
another state or the United States that arose out of the same 3703  
set of circumstances as the violation for which the offender's 3704  
license or permit was suspended under this section shall not 3705  
file such a motion. 3706

Upon the filing of a motion under division (E) (2) of this 3707  
section, the sentencing court, in its discretion, may terminate 3708  
the suspension. 3709

**Sec. 2925.05.** (A) No person shall knowingly provide money 3710  
or other items of value to another person with the purpose that 3711  
the recipient of the money or items of value use them to obtain 3712  
any controlled substance for the purpose of violating section 3713  
2925.04 of the Revised Code or for the purpose of selling or 3714  
offering to sell the controlled substance in the following 3715

amount: 3716

(1) If the drug to be sold or offered for sale is any 3717  
compound, mixture, preparation, or substance included in 3718  
schedule I or II, with the exception of marihuana, cocaine, 3719  
L.S.D., heroin, any fentanyl-related compound, and hashish, or 3720  
schedule III, IV, or V, an amount of the drug that equals or 3721  
exceeds the bulk amount of the drug; 3722

(2) If the drug to be sold or offered for sale is 3723  
marihuana or a compound, mixture, preparation, or substance 3724  
other than hashish containing marihuana, an amount of the 3725  
marihuana that equals or exceeds two hundred grams; 3726

(3) If the drug to be sold or offered for sale is cocaine 3727  
or a compound, mixture, preparation, or substance containing 3728  
cocaine, an amount of the cocaine that equals or exceeds five 3729  
grams; 3730

(4) If the drug to be sold or offered for sale is L.S.D. 3731  
or a compound, mixture, preparation, or substance containing 3732  
L.S.D., an amount of the L.S.D. that equals or exceeds ten unit 3733  
doses if the L.S.D. is in a solid form or equals or exceeds one 3734  
gram if the L.S.D. is in a liquid concentrate, liquid extract, 3735  
or liquid distillate form; 3736

(5) If the drug to be sold or offered for sale is heroin 3737  
or a fentanyl-related compound, or a compound, mixture, 3738  
preparation, or substance containing heroin or a fentanyl- 3739  
related compound, an amount that equals or exceeds ten unit 3740  
doses or equals or exceeds one gram; 3741

(6) If the drug to be sold or offered for sale is hashish 3742  
or a compound, mixture, preparation, or substance containing 3743  
hashish, an amount of the hashish that equals or exceeds ten 3744

grams if the hashish is in a solid form or equals or exceeds two 3745  
grams if the hashish is in a liquid concentrate, liquid extract, 3746  
or liquid distillate form. 3747

(B) This section does not apply to any person listed in 3748  
division (B) (1), (2), or (3) of section 2925.03 of the Revised 3749  
Code to the extent and under the circumstances described in 3750  
those divisions. 3751

(C) (1) If the drug involved in the violation is any 3752  
compound, mixture, preparation, or substance included in 3753  
schedule I or II, with the exception of marihuana, whoever 3754  
violates division (A) of this section is guilty of aggravated 3755  
funding of drug trafficking, a felony of the first degree, and, 3756  
subject to division (E) of this section, the court shall impose 3757  
as a mandatory prison term a first degree felony mandatory 3758  
prison term. 3759

(2) If the drug involved in the violation is any compound, 3760  
mixture, preparation, or substance included in schedule III, IV, 3761  
or V, whoever violates division (A) of this section is guilty of 3762  
funding of drug trafficking, a felony of the second degree, and 3763  
the court shall impose as a mandatory prison term a second 3764  
degree felony mandatory prison term. 3765

(3) If the drug involved in the violation is marihuana, 3766  
whoever violates division (A) of this section is guilty of 3767  
funding of marihuana trafficking, a felony of the third degree, 3768  
and, except as otherwise provided in this division, there is a 3769  
presumption for a prison term for the offense. If funding of 3770  
marihuana trafficking is a felony of the third degree under this 3771  
division and if the offender two or more times previously has 3772  
been convicted of or pleaded guilty to a felony drug abuse 3773  
offense, the court shall impose as a mandatory prison term one 3774



of the prison terms prescribed for a felony of the third degree. 3775

(D) In addition to any prison term authorized or required 3776  
by division (C) or (E) of this section and sections 2929.13 and 3777  
2929.14 of the Revised Code and in addition to any other 3778  
sanction imposed for the offense under this section or sections 3779  
2929.11 to 2929.18 of the Revised Code, the court that sentences 3780  
an offender who is convicted of or pleads guilty to a violation 3781  
of division (A) of this section may suspend the offender's 3782  
driver's or commercial driver's license or permit in accordance 3783  
with division (G) of section 2925.03 of the Revised Code. 3784  
However, if the offender pleaded guilty to or was convicted of a 3785  
violation of section 4511.19 of the Revised Code or a 3786  
substantially similar municipal ordinance or the law of another 3787  
state or the United States arising out of the same set of 3788  
circumstances as the violation, the court shall suspend the 3789  
offender's driver's or commercial driver's license or permit in 3790  
accordance with division (G) of section 2925.03 of the Revised 3791  
Code. If applicable, the court also shall do the following: 3792

(1) The court shall impose the mandatory fine specified 3793  
for the offense under division (B)(1) of section 2929.18 of the 3794  
Revised Code unless, as specified in that division, the court 3795  
determines that the offender is indigent. The clerk of the court 3796  
shall pay a mandatory fine or other fine imposed for a violation 3797  
of this section pursuant to division (A) of section 2929.18 of 3798  
the Revised Code in accordance with and subject to the 3799  
requirements of division (F) of section 2925.03 of the Revised 3800  
Code. The agency that receives the fine shall use the fine in 3801  
accordance with division (F) of section 2925.03 of the Revised 3802  
Code. If a person is charged with a violation of this section, 3803  
posts ~~bail~~ monetary bond, and forfeits the bail, the forfeited 3804  
bail shall be paid as if the forfeited bail were a fine imposed 3805

for a violation of this section. 3806

(2) If the offender is a professionally licensed person, 3807  
the court immediately shall comply with section 2925.38 of the 3808  
Revised Code. 3809

(E) Notwithstanding the prison term otherwise authorized 3810  
or required for the offense under division (C) of this section 3811  
and sections 2929.13 and 2929.14 of the Revised Code, if the 3812  
violation of division (A) of this section involves the sale, 3813  
offer to sell, or possession of a schedule I or II controlled 3814  
substance, with the exception of marihuana, one of the following 3815  
applies: 3816

(1) If the drug involved in the violation is a fentanyl- 3817  
related compound, the offense is a felony of the first degree, 3818  
the offender is a major drug offender, and the court shall 3819  
impose as a mandatory prison term the maximum prison term 3820  
prescribed for a felony of the first degree. 3821

(2) If division (E) (1) of this section does not apply and 3822  
the court imposing sentence upon the offender finds that the 3823  
offender as a result of the violation is a major drug offender 3824  
and is guilty of a specification of the type described in 3825  
division (A) of section 2941.1410 of the Revised Code, the 3826  
court, in lieu of the prison term otherwise authorized or 3827  
required, shall impose upon the offender the mandatory prison 3828  
term specified in division (B) (3) of section 2929.14 of the 3829  
Revised Code. 3830

(F) (1) If the sentencing court suspends the offender's 3831  
driver's or commercial driver's license or permit under this 3832  
section in accordance with division (G) of section 2925.03 of 3833  
the Revised Code, the offender may request termination of, and 3834

the court may terminate, the suspension in accordance with that 3835  
division. 3836

(2) Any offender who received a mandatory suspension of 3837  
the offender's driver's or commercial driver's license or permit 3838  
under this section prior to September 13, 2016, may file a 3839  
motion with the sentencing court requesting the termination of 3840  
the suspension. However, an offender who pleaded guilty to or 3841  
was convicted of a violation of section 4511.19 of the Revised 3842  
Code or a substantially similar municipal ordinance or law of 3843  
another state or the United States that arose out of the same 3844  
set of circumstances as the violation for which the offender's 3845  
license or permit was suspended under this section shall not 3846  
file such a motion. 3847

Upon the filing of a motion under division (F)(2) of this 3848  
section, the sentencing court, in its discretion, may terminate 3849  
the suspension. 3850

**Sec. 2925.11.** (A) No person shall knowingly obtain, 3851  
possess, or use a controlled substance or a controlled substance 3852  
analog. 3853

(B)(1) This section does not apply to any of the 3854  
following: 3855

(a) Manufacturers, licensed health professionals 3856  
authorized to prescribe drugs, pharmacists, owners of 3857  
pharmacies, and other persons whose conduct was in accordance 3858  
with Chapters 3719., 4715., 4723., 4729., 4730., 4731., and 3859  
4741. of the Revised Code; 3860

(b) If the offense involves an anabolic steroid, any 3861  
person who is conducting or participating in a research project 3862  
involving the use of an anabolic steroid if the project has been 3863

approved by the United States food and drug administration; 3864

(c) Any person who sells, offers for sale, prescribes, 3865  
dispenses, or administers for livestock or other nonhuman 3866  
species an anabolic steroid that is expressly intended for 3867  
administration through implants to livestock or other nonhuman 3868  
species and approved for that purpose under the "Federal Food, 3869  
Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, 3870  
as amended, and is sold, offered for sale, prescribed, 3871  
dispensed, or administered for that purpose in accordance with 3872  
that act; 3873

(d) Any person who obtained the controlled substance 3874  
pursuant to a prescription issued by a licensed health 3875  
professional authorized to prescribe drugs if the prescription 3876  
was issued for a legitimate medical purpose and not altered, 3877  
forged, or obtained through deception or commission of a theft 3878  
offense. 3879

As used in division (B) (1) (d) of this section, "deception" 3880  
and "theft offense" have the same meanings as in section 2913.01 3881  
of the Revised Code. 3882

(2) (a) As used in division (B) (2) of this section: 3883

(i) "Community addiction services provider" has the same 3884  
meaning as in section 5119.01 of the Revised Code. 3885

(ii) "Community control sanction" and "drug treatment 3886  
program" have the same meanings as in section 2929.01 of the 3887  
Revised Code. 3888

(iii) "Health care facility" has the same meaning as in 3889  
section 2919.16 of the Revised Code. 3890

(iv) "Minor drug possession offense" means a violation of 3891

this section that is a misdemeanor or a felony of the fifth 3892  
degree. 3893

(v) "Post-release control sanction" has the same meaning 3894  
as in section 2967.28 of the Revised Code. 3895

(vi) "Peace officer" has the same meaning as in section 3896  
2935.01 of the Revised Code. 3897

(vii) "Public agency" has the same meaning as in section 3898  
2930.01 of the Revised Code. 3899

(viii) "Qualified individual" means a person who is not on 3900  
community control or post-release control and is a person acting 3901  
in good faith who seeks or obtains medical assistance for 3902  
another person who is experiencing a drug overdose, a person who 3903  
experiences a drug overdose and who seeks medical assistance for 3904  
that overdose, or a person who is the subject of another person 3905  
seeking or obtaining medical assistance for that overdose as 3906  
described in division (B) (2) (b) of this section. 3907

(ix) "Seek or obtain medical assistance" includes, but is 3908  
not limited to making a 9-1-1 call, contacting in person or by 3909  
telephone call an on-duty peace officer, or transporting or 3910  
presenting a person to a health care facility. 3911

(b) Subject to division (B) (2) (f) of this section, a 3912  
qualified individual shall not be arrested, charged, prosecuted, 3913  
convicted, or penalized pursuant to this chapter for a minor 3914  
drug possession offense if all of the following apply: 3915

(i) The evidence of the obtaining, possession, or use of 3916  
the controlled substance or controlled substance analog that 3917  
would be the basis of the offense was obtained as a result of 3918  
the qualified individual seeking the medical assistance or 3919  
experiencing an overdose and needing medical assistance. 3920

(ii) Subject to division (B) (2) (g) of this section, within thirty days after seeking or obtaining the medical assistance, the qualified individual seeks and obtains a screening and receives a referral for treatment from a community addiction services provider or a properly credentialed addiction treatment professional.

(iii) Subject to division (B) (2) (g) of this section, the qualified individual who obtains a screening and receives a referral for treatment under division (B) (2) (b) (ii) of this section, upon the request of any prosecuting attorney, submits documentation to the prosecuting attorney that verifies that the qualified individual satisfied the requirements of that division. The documentation shall be limited to the date and time of the screening obtained and referral received.

(c) If a person is found to be in violation of any community control sanction and if the violation is a result of either of the following, the court shall first consider ordering the person's participation or continued participation in a drug treatment program or mitigating the penalty specified in section 2929.13, 2929.15, or 2929.25 of the Revised Code, whichever is applicable, after which the court has the discretion either to order the person's participation or continued participation in a drug treatment program or to impose the penalty with the mitigating factor specified in any of those applicable sections:

(i) Seeking or obtaining medical assistance in good faith for another person who is experiencing a drug overdose;

(ii) Experiencing a drug overdose and seeking medical assistance for that overdose or being the subject of another person seeking or obtaining medical assistance for that overdose as described in division (B) (2) (b) of this section.

(d) If a person is found to be in violation of any post- 3951  
release control sanction and if the violation is a result of 3952  
either of the following, the court or the parole board shall 3953  
first consider ordering the person's participation or continued 3954  
participation in a drug treatment program or mitigating the 3955  
penalty specified in section 2929.141 or 2967.28 of the Revised 3956  
Code, whichever is applicable, after which the court or the 3957  
parole board has the discretion either to order the person's 3958  
participation or continued participation in a drug treatment 3959  
program or to impose the penalty with the mitigating factor 3960  
specified in either of those applicable sections: 3961

(i) Seeking or obtaining medical assistance in good faith 3962  
for another person who is experiencing a drug overdose; 3963

(ii) Experiencing a drug overdose and seeking medical 3964  
assistance for that emergency or being the subject of another 3965  
person seeking or obtaining medical assistance for that overdose 3966  
as described in division (B) (2) (b) of this section. 3967

(e) Nothing in division (B) (2) (b) of this section shall be 3968  
construed to do any of the following: 3969

(i) Limit the admissibility of any evidence in connection 3970  
with the investigation or prosecution of a crime with regards to 3971  
a defendant who does not qualify for the protections of division 3972  
(B) (2) (b) of this section or with regards to any crime other 3973  
than a minor drug possession offense committed by a person who 3974  
qualifies for protection pursuant to division (B) (2) (b) of this 3975  
section for a minor drug possession offense; 3976

(ii) Limit any seizure of evidence or contraband otherwise 3977  
permitted by law; 3978

(iii) Limit or abridge the authority of a peace officer to 3979

detain or take into custody a person in the course of an 3980  
investigation or to effectuate an arrest for any offense except 3981  
as provided in that division; 3982

(iv) Limit, modify, or remove any immunity from liability 3983  
available pursuant to law in effect prior to September 13, 2016, 3984  
to any public agency or to an employee of any public agency. 3985

(f) Division (B) (2) (b) of this section does not apply to 3986  
any person who twice previously has been granted an immunity 3987  
under division (B) (2) (b) of this section. No person shall be 3988  
granted an immunity under division (B) (2) (b) of this section 3989  
more than two times. 3990

(g) Nothing in this section shall compel any qualified 3991  
individual to disclose protected health information in a way 3992  
that conflicts with the requirements of the "Health Insurance 3993  
Portability and Accountability Act of 1996," 104 Pub. L. No. 3994  
191, 110 Stat. 2021, 42 U.S.C. 1320d et seq., as amended, and 3995  
regulations promulgated by the United States department of 3996  
health and human services to implement the act or the 3997  
requirements of 42 C.F.R. Part 2. 3998

(C) Whoever violates division (A) of this section is 3999  
guilty of one of the following: 4000

(1) If the drug involved in the violation is a compound, 4001  
mixture, preparation, or substance included in schedule I or II, 4002  
with the exception of marihuana, cocaine, L.S.D., heroin, any 4003  
fentanyl-related compound, hashish, and any controlled substance 4004  
analog, whoever violates division (A) of this section is guilty 4005  
of aggravated possession of drugs. The penalty for the offense 4006  
shall be determined as follows: 4007

(a) Except as otherwise provided in division (C) (1) (b), 4008



(c), (d), or (e) of this section, aggravated possession of drugs 4009  
is a felony of the fifth degree, and division (B) of section 4010  
2929.13 of the Revised Code applies in determining whether to 4011  
impose a prison term on the offender. 4012

(b) If the amount of the drug involved equals or exceeds 4013  
the bulk amount but is less than five times the bulk amount, 4014  
aggravated possession of drugs is a felony of the third degree, 4015  
and there is a presumption for a prison term for the offense. 4016

(c) If the amount of the drug involved equals or exceeds 4017  
five times the bulk amount but is less than fifty times the bulk 4018  
amount, aggravated possession of drugs is a felony of the second 4019  
degree, and the court shall impose as a mandatory prison term a 4020  
second degree felony mandatory prison term. 4021

(d) If the amount of the drug involved equals or exceeds 4022  
fifty times the bulk amount but is less than one hundred times 4023  
the bulk amount, aggravated possession of drugs is a felony of 4024  
the first degree, and the court shall impose as a mandatory 4025  
prison term a first degree felony mandatory prison term. 4026

(e) If the amount of the drug involved equals or exceeds 4027  
one hundred times the bulk amount, aggravated possession of 4028  
drugs is a felony of the first degree, the offender is a major 4029  
drug offender, and the court shall impose as a mandatory prison 4030  
term a maximum first degree felony mandatory prison term. 4031

(2) If the drug involved in the violation is a compound, 4032  
mixture, preparation, or substance included in schedule III, IV, 4033  
or V, whoever violates division (A) of this section is guilty of 4034  
possession of drugs. The penalty for the offense shall be 4035  
determined as follows: 4036

(a) Except as otherwise provided in division (C) (2) (b), 4037

(c), or (d) of this section, possession of drugs is a 4038  
misdemeanor of the first degree or, if the offender previously 4039  
has been convicted of a drug abuse offense, a felony of the 4040  
fifth degree. 4041

(b) If the amount of the drug involved equals or exceeds 4042  
the bulk amount but is less than five times the bulk amount, 4043  
possession of drugs is a felony of the fourth degree, and 4044  
division (C) of section 2929.13 of the Revised Code applies in 4045  
determining whether to impose a prison term on the offender. 4046

(c) If the amount of the drug involved equals or exceeds 4047  
five times the bulk amount but is less than fifty times the bulk 4048  
amount, possession of drugs is a felony of the third degree, and 4049  
there is a presumption for a prison term for the offense. 4050

(d) If the amount of the drug involved equals or exceeds 4051  
fifty times the bulk amount, possession of drugs is a felony of 4052  
the second degree, and the court shall impose upon the offender 4053  
as a mandatory prison term a second degree felony mandatory 4054  
prison term. 4055

(3) If the drug involved in the violation is marihuana or 4056  
a compound, mixture, preparation, or substance containing 4057  
marihuana other than hashish, whoever violates division (A) of 4058  
this section is guilty of possession of marihuana. The penalty 4059  
for the offense shall be determined as follows: 4060

(a) Except as otherwise provided in division (C) (3) (b), 4061  
(c), (d), (e), (f), or (g) of this section, possession of 4062  
marihuana is a minor misdemeanor. 4063

(b) If the amount of the drug involved equals or exceeds 4064  
one hundred grams but is less than two hundred grams, possession 4065  
of marihuana is a misdemeanor of the fourth degree. 4066

(c) If the amount of the drug involved equals or exceeds 4067  
two hundred grams but is less than one thousand grams, 4068  
possession of marihuana is a felony of the fifth degree, and 4069  
division (B) of section 2929.13 of the Revised Code applies in 4070  
determining whether to impose a prison term on the offender. 4071

(d) If the amount of the drug involved equals or exceeds 4072  
one thousand grams but is less than five thousand grams, 4073  
possession of marihuana is a felony of the third degree, and 4074  
division (C) of section 2929.13 of the Revised Code applies in 4075  
determining whether to impose a prison term on the offender. 4076

(e) If the amount of the drug involved equals or exceeds 4077  
five thousand grams but is less than twenty thousand grams, 4078  
possession of marihuana is a felony of the third degree, and 4079  
there is a presumption that a prison term shall be imposed for 4080  
the offense. 4081

(f) If the amount of the drug involved equals or exceeds 4082  
twenty thousand grams but is less than forty thousand grams, 4083  
possession of marihuana is a felony of the second degree, and 4084  
the court shall impose as a mandatory prison term a second 4085  
degree felony mandatory prison term of five, six, seven, or 4086  
eight years. 4087

(g) If the amount of the drug involved equals or exceeds 4088  
forty thousand grams, possession of marihuana is a felony of the 4089  
second degree, and the court shall impose as a mandatory prison 4090  
term a maximum second degree felony mandatory prison term. 4091

(4) If the drug involved in the violation is cocaine or a 4092  
compound, mixture, preparation, or substance containing cocaine, 4093  
whoever violates division (A) of this section is guilty of 4094  
possession of cocaine. The penalty for the offense shall be 4095

determined as follows: 4096

(a) Except as otherwise provided in division (C) (4) (b), 4097  
(c), (d), (e), or (f) of this section, possession of cocaine is 4098  
a felony of the fifth degree, and division (B) of section 4099  
2929.13 of the Revised Code applies in determining whether to 4100  
impose a prison term on the offender. 4101

(b) If the amount of the drug involved equals or exceeds 4102  
five grams but is less than ten grams of cocaine, possession of 4103  
cocaine is a felony of the fourth degree, and division (B) of 4104  
section 2929.13 of the Revised Code applies in determining 4105  
whether to impose a prison term on the offender. 4106

(c) If the amount of the drug involved equals or exceeds 4107  
ten grams but is less than twenty grams of cocaine, possession 4108  
of cocaine is a felony of the third degree, and, except as 4109  
otherwise provided in this division, there is a presumption for 4110  
a prison term for the offense. If possession of cocaine is a 4111  
felony of the third degree under this division and if the 4112  
offender two or more times previously has been convicted of or 4113  
pleaded guilty to a felony drug abuse offense, the court shall 4114  
impose as a mandatory prison term one of the prison terms 4115  
prescribed for a felony of the third degree. 4116

(d) If the amount of the drug involved equals or exceeds 4117  
twenty grams but is less than twenty-seven grams of cocaine, 4118  
possession of cocaine is a felony of the second degree, and the 4119  
court shall impose as a mandatory prison term a second degree 4120  
felony mandatory prison term. 4121

(e) If the amount of the drug involved equals or exceeds 4122  
twenty-seven grams but is less than one hundred grams of 4123  
cocaine, possession of cocaine is a felony of the first degree, 4124

and the court shall impose as a mandatory prison term a first 4125  
degree felony mandatory prison term. 4126

(f) If the amount of the drug involved equals or exceeds 4127  
one hundred grams of cocaine, possession of cocaine is a felony 4128  
of the first degree, the offender is a major drug offender, and 4129  
the court shall impose as a mandatory prison term a maximum 4130  
first degree felony mandatory prison term. 4131

(5) If the drug involved in the violation is L.S.D., 4132  
whoever violates division (A) of this section is guilty of 4133  
possession of L.S.D. The penalty for the offense shall be 4134  
determined as follows: 4135

(a) Except as otherwise provided in division (C) (5) (b), 4136  
(c), (d), (e), or (f) of this section, possession of L.S.D. is a 4137  
felony of the fifth degree, and division (B) of section 2929.13 4138  
of the Revised Code applies in determining whether to impose a 4139  
prison term on the offender. 4140

(b) If the amount of L.S.D. involved equals or exceeds ten 4141  
unit doses but is less than fifty unit doses of L.S.D. in a 4142  
solid form or equals or exceeds one gram but is less than five 4143  
grams of L.S.D. in a liquid concentrate, liquid extract, or 4144  
liquid distillate form, possession of L.S.D. is a felony of the 4145  
fourth degree, and division (C) of section 2929.13 of the 4146  
Revised Code applies in determining whether to impose a prison 4147  
term on the offender. 4148

(c) If the amount of L.S.D. involved equals or exceeds 4149  
fifty unit doses, but is less than two hundred fifty unit doses 4150  
of L.S.D. in a solid form or equals or exceeds five grams but is 4151  
less than twenty-five grams of L.S.D. in a liquid concentrate, 4152  
liquid extract, or liquid distillate form, possession of L.S.D. 4153

is a felony of the third degree, and there is a presumption for 4154  
a prison term for the offense. 4155

(d) If the amount of L.S.D. involved equals or exceeds two 4156  
hundred fifty unit doses but is less than one thousand unit 4157  
doses of L.S.D. in a solid form or equals or exceeds twenty-five 4158  
grams but is less than one hundred grams of L.S.D. in a liquid 4159  
concentrate, liquid extract, or liquid distillate form, 4160  
possession of L.S.D. is a felony of the second degree, and the 4161  
court shall impose as a mandatory prison term a second degree 4162  
felony mandatory prison term. 4163

(e) If the amount of L.S.D. involved equals or exceeds one 4164  
thousand unit doses but is less than five thousand unit doses of 4165  
L.S.D. in a solid form or equals or exceeds one hundred grams 4166  
but is less than five hundred grams of L.S.D. in a liquid 4167  
concentrate, liquid extract, or liquid distillate form, 4168  
possession of L.S.D. is a felony of the first degree, and the 4169  
court shall impose as a mandatory prison term a first degree 4170  
felony mandatory prison term. 4171

(f) If the amount of L.S.D. involved equals or exceeds 4172  
five thousand unit doses of L.S.D. in a solid form or equals or 4173  
exceeds five hundred grams of L.S.D. in a liquid concentrate, 4174  
liquid extract, or liquid distillate form, possession of L.S.D. 4175  
is a felony of the first degree, the offender is a major drug 4176  
offender, and the court shall impose as a mandatory prison term 4177  
a maximum first degree felony mandatory prison term. 4178

(6) If the drug involved in the violation is heroin or a 4179  
compound, mixture, preparation, or substance containing heroin, 4180  
whoever violates division (A) of this section is guilty of 4181  
possession of heroin. The penalty for the offense shall be 4182  
determined as follows: 4183

(a) Except as otherwise provided in division (C) (6) (b), 4184  
(c), (d), (e), or (f) of this section, possession of heroin is a 4185  
felony of the fifth degree, and division (B) of section 2929.13 4186  
of the Revised Code applies in determining whether to impose a 4187  
prison term on the offender. 4188

(b) If the amount of the drug involved equals or exceeds 4189  
ten unit doses but is less than fifty unit doses or equals or 4190  
exceeds one gram but is less than five grams, possession of 4191  
heroin is a felony of the fourth degree, and division (C) of 4192  
section 2929.13 of the Revised Code applies in determining 4193  
whether to impose a prison term on the offender. 4194

(c) If the amount of the drug involved equals or exceeds 4195  
fifty unit doses but is less than one hundred unit doses or 4196  
equals or exceeds five grams but is less than ten grams, 4197  
possession of heroin is a felony of the third degree, and there 4198  
is a presumption for a prison term for the offense. 4199

(d) If the amount of the drug involved equals or exceeds 4200  
one hundred unit doses but is less than five hundred unit doses 4201  
or equals or exceeds ten grams but is less than fifty grams, 4202  
possession of heroin is a felony of the second degree, and the 4203  
court shall impose as a mandatory prison term a second degree 4204  
felony mandatory prison term. 4205

(e) If the amount of the drug involved equals or exceeds 4206  
five hundred unit doses but is less than one thousand unit doses 4207  
or equals or exceeds fifty grams but is less than one hundred 4208  
grams, possession of heroin is a felony of the first degree, and 4209  
the court shall impose as a mandatory prison term a first degree 4210  
felony mandatory prison term. 4211

(f) If the amount of the drug involved equals or exceeds 4212

one thousand unit doses or equals or exceeds one hundred grams, 4213  
possession of heroin is a felony of the first degree, the 4214  
offender is a major drug offender, and the court shall impose as 4215  
a mandatory prison term a maximum first degree felony mandatory 4216  
prison term. 4217

(7) If the drug involved in the violation is hashish or a 4218  
compound, mixture, preparation, or substance containing hashish, 4219  
whoever violates division (A) of this section is guilty of 4220  
possession of hashish. The penalty for the offense shall be 4221  
determined as follows: 4222

(a) Except as otherwise provided in division (C) (7) (b), 4223  
(c), (d), (e), (f), or (g) of this section, possession of 4224  
hashish is a minor misdemeanor. 4225

(b) If the amount of the drug involved equals or exceeds 4226  
five grams but is less than ten grams of hashish in a solid form 4227  
or equals or exceeds one gram but is less than two grams of 4228  
hashish in a liquid concentrate, liquid extract, or liquid 4229  
distillate form, possession of hashish is a misdemeanor of the 4230  
fourth degree. 4231

(c) If the amount of the drug involved equals or exceeds 4232  
ten grams but is less than fifty grams of hashish in a solid 4233  
form or equals or exceeds two grams but is less than ten grams 4234  
of hashish in a liquid concentrate, liquid extract, or liquid 4235  
distillate form, possession of hashish is a felony of the fifth 4236  
degree, and division (B) of section 2929.13 of the Revised Code 4237  
applies in determining whether to impose a prison term on the 4238  
offender. 4239

(d) If the amount of the drug involved equals or exceeds 4240  
fifty grams but is less than two hundred fifty grams of hashish 4241



in a solid form or equals or exceeds ten grams but is less than 4242  
fifty grams of hashish in a liquid concentrate, liquid extract, 4243  
or liquid distillate form, possession of hashish is a felony of 4244  
the third degree, and division (C) of section 2929.13 of the 4245  
Revised Code applies in determining whether to impose a prison 4246  
term on the offender. 4247

(e) If the amount of the drug involved equals or exceeds 4248  
two hundred fifty grams but is less than one thousand grams of 4249  
hashish in a solid form or equals or exceeds fifty grams but is 4250  
less than two hundred grams of hashish in a liquid concentrate, 4251  
liquid extract, or liquid distillate form, possession of hashish 4252  
is a felony of the third degree, and there is a presumption that 4253  
a prison term shall be imposed for the offense. 4254

(f) If the amount of the drug involved equals or exceeds 4255  
one thousand grams but is less than two thousand grams of 4256  
hashish in a solid form or equals or exceeds two hundred grams 4257  
but is less than four hundred grams of hashish in a liquid 4258  
concentrate, liquid extract, or liquid distillate form, 4259  
possession of hashish is a felony of the second degree, and the 4260  
court shall impose as a mandatory prison term a second degree 4261  
felony mandatory prison term of five, six, seven, or eight 4262  
years. 4263

(g) If the amount of the drug involved equals or exceeds 4264  
two thousand grams of hashish in a solid form or equals or 4265  
exceeds four hundred grams of hashish in a liquid concentrate, 4266  
liquid extract, or liquid distillate form, possession of hashish 4267  
is a felony of the second degree, and the court shall impose as 4268  
a mandatory prison term a maximum second degree felony mandatory 4269  
prison term. 4270

(8) If the drug involved is a controlled substance analog 4271

or compound, mixture, preparation, or substance that contains a 4272  
controlled substance analog, whoever violates division (A) of 4273  
this section is guilty of possession of a controlled substance 4274  
analog. The penalty for the offense shall be determined as 4275  
follows: 4276

(a) Except as otherwise provided in division (C) (8) (b), 4277  
(c), (d), (e), or (f) of this section, possession of a 4278  
controlled substance analog is a felony of the fifth degree, and 4279  
division (B) of section 2929.13 of the Revised Code applies in 4280  
determining whether to impose a prison term on the offender. 4281

(b) If the amount of the drug involved equals or exceeds 4282  
ten grams but is less than twenty grams, possession of a 4283  
controlled substance analog is a felony of the fourth degree, 4284  
and there is a presumption for a prison term for the offense. 4285

(c) If the amount of the drug involved equals or exceeds 4286  
twenty grams but is less than thirty grams, possession of a 4287  
controlled substance analog is a felony of the third degree, and 4288  
there is a presumption for a prison term for the offense. 4289

(d) If the amount of the drug involved equals or exceeds 4290  
thirty grams but is less than forty grams, possession of a 4291  
controlled substance analog is a felony of the second degree, 4292  
and the court shall impose as a mandatory prison term a second 4293  
degree felony mandatory prison term. 4294

(e) If the amount of the drug involved equals or exceeds 4295  
forty grams but is less than fifty grams, possession of a 4296  
controlled substance analog is a felony of the first degree, and 4297  
the court shall impose as a mandatory prison term a first degree 4298  
felony mandatory prison term. 4299

(f) If the amount of the drug involved equals or exceeds 4300

fifty grams, possession of a controlled substance analog is a 4301  
felony of the first degree, the offender is a major drug 4302  
offender, and the court shall impose as a mandatory prison term 4303  
a maximum first degree felony mandatory prison term. 4304

(9) If the drug involved in the violation is a compound, 4305  
mixture, preparation, or substance that is a combination of a 4306  
fentanyl-related compound and marihuana, one of the following 4307  
applies: 4308

(a) Except as otherwise provided in division (C) (9) (b) of 4309  
this section, the offender is guilty of possession of marihuana 4310  
and shall be punished as provided in division (C) (3) of this 4311  
section. Except as otherwise provided in division (C) (9) (b) of 4312  
this section, the offender is not guilty of possession of a 4313  
fentanyl-related compound under division (C) (11) of this section 4314  
and shall not be charged with, convicted of, or punished under 4315  
division (C) (11) of this section for possession of a fentanyl- 4316  
related compound. 4317

(b) If the offender knows or has reason to know that the 4318  
compound, mixture, preparation, or substance that is the drug 4319  
involved contains a fentanyl-related compound, the offender is 4320  
guilty of possession of a fentanyl-related compound and shall be 4321  
punished under division (C) (11) of this section. 4322

(10) If the drug involved in the violation is a compound, 4323  
mixture, preparation, or substance that is a combination of a 4324  
fentanyl-related compound and any schedule III, schedule IV, or 4325  
schedule V controlled substance that is not a fentanyl-related 4326  
compound, one of the following applies: 4327

(a) Except as otherwise provided in division (C) (10) (b) of 4328  
this section, the offender is guilty of possession of drugs and 4329

shall be punished as provided in division (C) (2) of this 4330  
section. Except as otherwise provided in division (C) (10) (b) of 4331  
this section, the offender is not guilty of possession of a 4332  
fentanyl-related compound under division (C) (11) of this section 4333  
and shall not be charged with, convicted of, or punished under 4334  
division (C) (11) of this section for possession of a fentanyl- 4335  
related compound. 4336

(b) If the offender knows or has reason to know that the 4337  
compound, mixture, preparation, or substance that is the drug 4338  
involved contains a fentanyl-related compound, the offender is 4339  
guilty of possession of a fentanyl-related compound and shall be 4340  
punished under division (C) (11) of this section. 4341

(11) If the drug involved in the violation is a fentanyl- 4342  
related compound and neither division (C) (9) (a) nor division (C) 4343  
(10) (a) of this section applies to the drug involved, or is a 4344  
compound, mixture, preparation, or substance that contains a 4345  
fentanyl-related compound or is a combination of a fentanyl- 4346  
related compound and any other controlled substance and neither 4347  
division (C) (9) (a) nor division (C) (10) (a) of this section 4348  
applies to the drug involved, whoever violates division (A) of 4349  
this section is guilty of possession of a fentanyl-related 4350  
compound. The penalty for the offense shall be determined as 4351  
follows: 4352

(a) Except as otherwise provided in division (C) (11) (b), 4353  
(c), (d), (e), (f), or (g) of this section, possession of a 4354  
fentanyl-related compound is a felony of the fifth degree, and 4355  
division (B) of section 2929.13 of the Revised Code applies in 4356  
determining whether to impose a prison term on the offender. 4357

(b) If the amount of the drug involved equals or exceeds 4358  
ten unit doses but is less than fifty unit doses or equals or 4359

exceeds one gram but is less than five grams, possession of a 4360  
fentanyl-related compound is a felony of the fourth degree, and 4361  
division (C) of section 2929.13 of the Revised Code applies in 4362  
determining whether to impose a prison term on the offender. 4363

(c) If the amount of the drug involved equals or exceeds 4364  
fifty unit doses but is less than one hundred unit doses or 4365  
equals or exceeds five grams but is less than ten grams, 4366  
possession of a fentanyl-related compound is a felony of the 4367  
third degree, and there is a presumption for a prison term for 4368  
the offense. 4369

(d) If the amount of the drug involved equals or exceeds 4370  
one hundred unit doses but is less than two hundred unit doses 4371  
or equals or exceeds ten grams but is less than twenty grams, 4372  
possession of a fentanyl-related compound is a felony of the 4373  
second degree, and the court shall impose as a mandatory prison 4374  
term one of the prison terms prescribed for a felony of the 4375  
second degree. 4376

(e) If the amount of the drug involved equals or exceeds 4377  
two hundred unit doses but is less than five hundred unit doses 4378  
or equals or exceeds twenty grams but is less than fifty grams, 4379  
possession of a fentanyl-related compound is a felony of the 4380  
first degree, and the court shall impose as a mandatory prison 4381  
term one of the prison terms prescribed for a felony of the 4382  
first degree. 4383

(f) If the amount of the drug involved equals or exceeds 4384  
five hundred unit doses but is less than one thousand unit doses 4385  
or equals or exceeds fifty grams but is less than one hundred 4386  
grams, possession of a fentanyl-related compound is a felony of 4387  
the first degree, and the court shall impose as a mandatory 4388  
prison term the maximum prison term prescribed for a felony of 4389

the first degree. 4390

(g) If the amount of the drug involved equals or exceeds 4391  
one thousand unit doses or equals or exceeds one hundred grams, 4392  
possession of a fentanyl-related compound is a felony of the 4393  
first degree, the offender is a major drug offender, and the 4394  
court shall impose as a mandatory prison term the maximum prison 4395  
term prescribed for a felony of the first degree. 4396

(D) Arrest or conviction for a minor misdemeanor violation 4397  
of this section does not constitute a criminal record and need 4398  
not be reported by the person so arrested or convicted in 4399  
response to any inquiries about the person's criminal record, 4400  
including any inquiries contained in any application for 4401  
employment, license, or other right or privilege, or made in 4402  
connection with the person's appearance as a witness. 4403

(E) In addition to any prison term or jail term authorized 4404  
or required by division (C) of this section and sections 4405  
2929.13, 2929.14, 2929.22, 2929.24, and 2929.25 of the Revised 4406  
Code and in addition to any other sanction that is imposed for 4407  
the offense under this section, sections 2929.11 to 2929.18, or 4408  
sections 2929.21 to 2929.28 of the Revised Code, the court that 4409  
sentences an offender who is convicted of or pleads guilty to a 4410  
violation of division (A) of this section may suspend the 4411  
offender's driver's or commercial driver's license or permit for 4412  
not more than five years. However, if the offender pleaded 4413  
guilty to or was convicted of a violation of section 4511.19 of 4414  
the Revised Code or a substantially similar municipal ordinance 4415  
or the law of another state or the United States arising out of 4416  
the same set of circumstances as the violation, the court shall 4417  
suspend the offender's driver's or commercial driver's license 4418  
or permit for not more than five years. If applicable, the court 4419

also shall do the following: 4420

(1) (a) If the violation is a felony of the first, second, 4421  
or third degree, the court shall impose upon the offender the 4422  
mandatory fine specified for the offense under division (B) (1) 4423  
of section 2929.18 of the Revised Code unless, as specified in 4424  
that division, the court determines that the offender is 4425  
indigent. 4426

(b) Notwithstanding any contrary provision of section 4427  
3719.21 of the Revised Code, the clerk of the court shall pay a 4428  
mandatory fine or other fine imposed for a violation of this 4429  
section pursuant to division (A) of section 2929.18 of the 4430  
Revised Code in accordance with and subject to the requirements 4431  
of division (F) of section 2925.03 of the Revised Code. The 4432  
agency that receives the fine shall use the fine as specified in 4433  
division (F) of section 2925.03 of the Revised Code. 4434

(c) If a person is charged with a violation of this 4435  
section that is a felony of the first, second, or third degree, 4436  
posts ~~bail~~ monetary bond, and forfeits the bail, the clerk 4437  
shall pay the forfeited bail pursuant to division (E) (1) (b) of 4438  
this section as if it were a mandatory fine imposed under 4439  
division (E) (1) (a) of this section. 4440

(2) If the offender is a professionally licensed person, 4441  
in addition to any other sanction imposed for a violation of 4442  
this section, the court immediately shall comply with section 4443  
2925.38 of the Revised Code. 4444

(F) It is an affirmative defense, as provided in section 4445  
2901.05 of the Revised Code, to a charge of a fourth degree 4446  
felony violation under this section that the controlled 4447  
substance that gave rise to the charge is in an amount, is in a 4448

form, is prepared, compounded, or mixed with substances that are 4449  
not controlled substances in a manner, or is possessed under any 4450  
other circumstances, that indicate that the substance was 4451  
possessed solely for personal use. Notwithstanding any contrary 4452  
provision of this section, if, in accordance with section 4453  
2901.05 of the Revised Code, an accused who is charged with a 4454  
fourth degree felony violation of division (C) (2), (4), (5), or 4455  
(6) of this section sustains the burden of going forward with 4456  
evidence of and establishes by a preponderance of the evidence 4457  
the affirmative defense described in this division, the accused 4458  
may be prosecuted for and may plead guilty to or be convicted of 4459  
a misdemeanor violation of division (C) (2) of this section or a 4460  
fifth degree felony violation of division (C) (4), (5), or (6) of 4461  
this section respectively. 4462

(G) When a person is charged with possessing a bulk amount 4463  
or multiple of a bulk amount, division (E) of section 2925.03 of 4464  
the Revised Code applies regarding the determination of the 4465  
amount of the controlled substance involved at the time of the 4466  
offense. 4467

(H) It is an affirmative defense to a charge of possession 4468  
of a controlled substance analog under division (C) (8) of this 4469  
section that the person charged with violating that offense 4470  
obtained, possessed, or used one of the following items that are 4471  
excluded from the meaning of "controlled substance analog" under 4472  
section 3719.01 of the Revised Code: 4473

(1) A controlled substance; 4474

(2) Any substance for which there is an approved new drug 4475  
application; 4476

(3) With respect to a particular person, any substance if 4477



an exemption is in effect for investigational use for that 4478  
person pursuant to federal law to the extent that conduct with 4479  
respect to that substance is pursuant to that exemption. 4480

(I) Any offender who received a mandatory suspension of 4481  
the offender's driver's or commercial driver's license or permit 4482  
under this section prior to September 13, 2016, may file a 4483  
motion with the sentencing court requesting the termination of 4484  
the suspension. However, an offender who pleaded guilty to or 4485  
was convicted of a violation of section 4511.19 of the Revised 4486  
Code or a substantially similar municipal ordinance or law of 4487  
another state or the United States that arose out of the same 4488  
set of circumstances as the violation for which the offender's 4489  
license or permit was suspended under this section shall not 4490  
file such a motion. 4491

Upon the filing of a motion under division (I) of this 4492  
section, the sentencing court, in its discretion, may terminate 4493  
the suspension. 4494

**Sec. 2935.10.** (A) Upon the filing of an affidavit or 4495  
complaint as provided by section 2935.09 of the Revised Code, if 4496  
it charges the commission of a felony, such judge, clerk, or 4497  
magistrate, unless ~~he~~ the judge, clerk, or magistrate has reason 4498  
to believe that it was not filed in good faith, or the claim is 4499  
not meritorious, shall forthwith issue a warrant for the arrest 4500  
of the person charged in the affidavit, and directed to a peace 4501  
officer; otherwise ~~he~~ the judge, clerk, or magistrate shall 4502  
forthwith refer the matter to the prosecuting attorney or other 4503  
attorney charged by law with prosecution for investigation prior 4504  
to the issuance of warrant. 4505

(B) If the offense charged is a misdemeanor or violation 4506  
of a municipal ordinance, such judge, clerk, or magistrate may: 4507

(1) Issue a warrant for the arrest of such person, 4508  
directed to any officer named in section 2935.03 of the Revised 4509  
Code but in cases of ordinance violation only to a police 4510  
officer or marshal or deputy marshal of the municipal 4511  
corporation; 4512

(2) Issue summons, to be served by a peace officer, 4513  
bailiff, or court constable, commanding the person against whom 4514  
the affidavit or complaint was filed to appear forthwith, or at 4515  
a fixed time in the future, before such court or magistrate. 4516  
Such summons shall be served in the same manner as in civil 4517  
cases. 4518

(C) If the affidavit is filed by, or the complaint is 4519  
filed pursuant to an affidavit executed by, a peace officer who 4520  
has, at ~~his~~ the officer's discretion, at the time of commission 4521  
of the alleged offense, notified the person to appear before the 4522  
court or magistrate at a specific time set by such officer, no 4523  
process need be issued unless the defendant fails to appear at 4524  
the scheduled time. 4525

(D) Any person charged with a misdemeanor ~~or shall be~~ 4526  
released on an unsecured bond or after a conditions of release 4527  
hearing as provided in section 2937.012 of the Revised Code. Any 4528  
person charged with a violation of a municipal ordinance may 4529  
~~give bail as provided in sections 2937.22 to 2937.46 of the~~ 4530  
~~Revised Code, shall be released on an unsecured bond for his the~~ 4531  
person's appearance, regardless of whether a warrant, summons, 4532  
or notice to appear has been issued. 4533

(E) Any warrant, summons, or any notice issued by the 4534  
peace officer shall state the substance of the charge against 4535  
the person arrested or directed to appear. 4536

(F) When the offense charged is a misdemeanor, and the  
warrant or summons issued pursuant to this section is not served  
within two years of the date of issue, a judge or magistrate may  
order such warrant or summons withdrawn and the case closed,  
when it does not appear that the ends of justice require keeping  
the case open.

(G) As used in this section, "unsecured bond" has the same  
meaning as in section 2937.01 of the Revised Code.

**Sec. 2935.13.** Upon the arrest of any person pursuant to  
warrant, ~~he~~ the person shall forthwith be taken before the court  
or magistrate issuing the same, if such court be in session or  
such magistrate available, and proceedings had as provided in  
sections 2937.01 to 2937.46, inclusive, of the Revised Code. If  
such court be not in session and a misdemeanor or ordinance  
violation is charged, ~~he~~ the defendant shall be taken before the  
clerk or deputy clerk of the court and let to bail, ~~as provided  
in sections 2937.22 to 2937.46, inclusive, of the Revised Code,  
if~~ post an unsecured bond for the defendant's appearance. If the  
magistrate be not available, or if the defendant is arrested in  
a county other than that of the issuing court or magistrate ~~he~~  
the defendant shall forthwith be taken before the most  
convenient magistrate, clerk, or deputy clerk of a court of  
record, and there let to bail for ~~his~~ the defendant's appearance  
before the issuing court or magistrate within a reasonable time  
to be set by such clerk.

**Sec. 2935.14.** If the person arrested is ~~unable to offer  
sufficient bail or, if the offense charged be a felony, he~~ not  
released, the person arrested shall, prior to being confined or  
removed from the county of arrest, as the case may be, be  
speedily permitted facilities to communicate with an attorney at

law of ~~his~~ the person's own choice, or to communicate with at 4567  
least one relative or other person for the purpose of obtaining 4568  
counsel (or in cases of misdemeanors or ordinance violation for 4569  
the purpose of arranging bail). ~~He~~ The person arrested shall not 4570  
thereafter be confined or removed from the county or from the 4571  
situs of initial detention until such attorney has had 4572  
reasonable opportunity to confer with ~~him~~ the person privately, 4573  
or other person to arrange bail, under such security measures as 4574  
may be necessary under the circumstances. 4575

Whoever, being a police officer in charge of a prisoner, 4576  
or the custodian of any jail or place of confinement, violates 4577  
this section shall be fined not less than one hundred nor more 4578  
than five hundred dollars or imprisoned not more than thirty 4579  
days, or both. 4580

**Sec. 2935.27.** (A) (1) If a law enforcement officer issues a 4581  
citation to a person pursuant to section 2935.26 of the Revised 4582  
Code and if the minor misdemeanor offense for which the citation 4583  
is issued is an act prohibited by Chapter 4511., 4513., or 4549. 4584  
of the Revised Code or an act prohibited by any municipal 4585  
ordinance that is substantially similar to any section contained 4586  
in Chapter 4511., 4513., or 4549. of the Revised Code, the 4587  
officer shall inform the person, if the person has a current 4588  
valid Ohio driver's or commercial driver's license, of the 4589  
possible consequences of the person's actions as required under 4590  
division (E) of this section, and also shall inform the person 4591  
that the person is required either to appear at the time and 4592  
place stated in the citation or to comply with division (C) of 4593  
section 2935.26 of the Revised Code. 4594

(2) If the person is an Ohio resident but does not have a 4595  
current valid Ohio driver's or commercial driver's license or if 4596

the person is a resident of a state that is not a member of the 4597  
nonresident violator compact of which this state is a member 4598  
pursuant to section 4510.71 of the Revised Code, and if the 4599  
court, by local rule, has prescribed a procedure for the setting 4600  
of a reasonable security pursuant to division (F) of this 4601  
section, security shall be set in accordance with that local 4602  
rule and that division. 4603

A court by local rule may prescribe a procedure for the 4604  
setting of reasonable security as described in this division. As 4605  
an alternative to this procedure, a court by local rule may 4606  
prescribe a procedure for the setting of a reasonable security 4607  
by the person without the person appearing before the court. 4608

(B) A person who has security set under division (A) (2) of 4609  
this section shall be given a receipt or other evidence of the 4610  
deposit of the security by the court. 4611

(C) Upon compliance with division (C) of section 2935.26 4612  
of the Revised Code by a person who was issued a citation, the 4613  
clerk of the court shall notify the court. The court shall 4614  
immediately return any sum of money, license, or other security 4615  
deposited in relation to the citation to the person, or to any 4616  
other person who deposited the security. 4617

(D) If a person who has a current valid Ohio driver's or 4618  
commercial driver's license and who was issued a citation fails 4619  
to appear at the time and place specified on the citation, fails 4620  
to comply with division (C) of section 2935.26 of the Revised 4621  
Code, or fails to comply with or satisfy any judgment of the 4622  
court within the time allowed by the court, the court shall 4623  
declare the forfeiture of the person's license. Thirty days 4624  
after the declaration of forfeiture, the court shall enter 4625  
information relative to the forfeiture on a form approved and 4626

furnished by the registrar of motor vehicles, and forward the 4627  
form to the registrar. The registrar shall suspend the person's 4628  
driver's or commercial driver's license, send written 4629  
notification of the suspension to the person at the person's 4630  
last known address, and order the person to surrender the 4631  
person's driver's or commercial driver's license to the 4632  
registrar within forty-eight hours. No valid driver's or 4633  
commercial driver's license shall be granted to the person until 4634  
the court having jurisdiction of the offense that led to the 4635  
forfeiture orders that the forfeiture be terminated. The court 4636  
shall so order if the person, after having failed to appear in 4637  
court at the required time and place to answer the charge or 4638  
after having pleaded guilty to or been found guilty of the 4639  
violation and having failed within the time allowed by the court 4640  
to pay the fine imposed by the court, thereafter appears to 4641  
answer the charge and pays any fine imposed by the court or pays 4642  
the fine originally imposed by the court. The court shall inform 4643  
the registrar of the termination of the forfeiture by entering 4644  
information relative to the termination on a form approved and 4645  
furnished by the registrar and sending the form to the registrar 4646  
as provided in this division. The person shall pay to the bureau 4647  
of motor vehicles a fifteen-dollar reinstatement fee to cover 4648  
the costs of the bureau in administering this section. The 4649  
registrar shall deposit the fees so paid into the public safety 4650  
- highway purposes fund created by section 4501.06 of the 4651  
Revised Code. 4652

In addition, upon receipt of the copy of the declaration 4653  
of forfeiture from the court, neither the registrar nor any 4654  
deputy registrar shall accept any application for the 4655  
registration or transfer of registration of any motor vehicle 4656  
owned or leased by the person named in the declaration of 4657

forfeiture until the court having jurisdiction of the offense 4658  
that led to the forfeiture orders that the forfeiture be 4659  
terminated. However, for a motor vehicle leased by a person 4660  
named in a declaration of forfeiture, the registrar shall not 4661  
implement the preceding sentence until the registrar adopts 4662  
procedures for that implementation under section 4503.39 of the 4663  
Revised Code. Upon receipt by the registrar of an order 4664  
terminating the forfeiture, the registrar shall take such 4665  
measures as may be necessary to permit the person to register a 4666  
motor vehicle owned or leased by the person or to transfer the 4667  
registration of such a motor vehicle, if the person later makes 4668  
application to take such action and the person otherwise is 4669  
eligible to register the motor vehicle or to transfer the 4670  
registration of it. 4671

The registrar is not required to give effect to any 4672  
declaration of forfeiture or order terminating a forfeiture 4673  
unless the order is transmitted to the registrar by means of an 4674  
electronic transfer system. The registrar shall not restore the 4675  
person's driving or vehicle registration privileges until the 4676  
person pays the reinstatement fee as provided in this division. 4677

If the person who was issued the citation fails to appear 4678  
at the time and place specified on the citation and fails to 4679  
comply with division (C) of section 2935.26 of the Revised Code 4680  
and the person has deposited a sum of money or other security in 4681  
relation to the citation under division (A) (2) of this section, 4682  
the deposit immediately shall be forfeited to the court. 4683

This section does not preclude further action as 4684  
authorized by division (F) of section 2935.26 of the Revised 4685  
Code. 4686

(E) A law enforcement officer who issues a person a minor 4687

misdemeanor citation for an act prohibited by Chapter 4511., 4688  
4513., or 4549. of the Revised Code or an act prohibited by a 4689  
municipal ordinance that is substantially similar to any section 4690  
contained in Chapter 4511., 4513., or 4549. of the Revised Code 4691  
shall inform the person that if the person does not appear at 4692  
the time and place stated on the citation or does not comply 4693  
with division (C) of section 2935.26 of the Revised Code, the 4694  
person's driver's or commercial driver's license will be 4695  
suspended, the person will not be eligible for the reissuance of 4696  
the license or the issuance of a new license or the issuance of 4697  
a certificate of registration for a motor vehicle owned or 4698  
leased by the person, until the person appears and complies with 4699  
all orders of the court. The person also is subject to any 4700  
applicable criminal penalties. 4701

(F) A court setting security under division (A) (2) of this 4702  
section shall do so in conformity with ~~sections 2937.22 and~~ 4703  
~~2937.23~~ section 2937.014 of the Revised Code and the Rules of 4704  
Criminal Procedure. 4705

**Sec. 2937.01.** ~~The definition of "magistrate" set forth~~ As 4706  
used in this chapter: 4707

(A) "Accused" means a person who has been charged, but not 4708  
convicted, of a crime for which criminal proceedings are 4709  
ongoing. 4710

(B) "Bail" means the pretrial release, or to secure the 4711  
pretrial release, of an accused person from legal custody. 4712

(C) "Bail forfeiture," "forfeit bail," "forfeited bail," 4713  
"forfeits bail," and "forfeiture of bail" mean the forfeiture of 4714  
a bond posted as a condition of release from legal custody. 4715

(D) "Bond" and "recognizance" mean a written agreement to 4716



perform a specific duty that may or may not involve a financial 4717  
obligation as part of the agreement. 4718

(E) "Magistrate" has the same meaning as in section 4719  
2931.01 of the Revised Code, and the definitions of "peace 4720  
officer," "prosecutor," and "offense" set forth. 4721

(F) "Monetary bond" means the upfront payment in full or 4722  
in part of the amount set by the court that is necessary for an 4723  
accused person to secure the accused's pretrial release from 4724  
legal custody. 4725

(G) "Offense," "peace officer," and "prosecutor" have the 4726  
same meanings as in section 2935.01 of the Revised Code—apply to 4727  
Chapter 2937. of the Revised Code. 4728

(H) "Percentage bond" means a secured bond that only 4729  
requires a specified percentage of the amount set by the court 4730  
to be posted by the accused in order to secure the accused's 4731  
pretrial release. 4732

(I) "Personal recognizance" or "own recognizance" means 4733  
release, without the requirement of a financial bond, based on a 4734  
written promise by the accused that the accused will appear in 4735  
court when required by the court. 4736

(J) "Poverty-based public assistance" means federal 4737  
supplemental security income, Ohio works first, temporary 4738  
assistance to needy families, medicaid, aid to families with 4739  
dependent children, the supplemental nutrition assistance 4740  
program, refugee cash assistance, refugee medical assistance, 4741  
poverty-related veterans' benefits, or other poverty-based 4742  
governmental assistance. 4743

(K) "Property bond" means to pledge a title to real 4744  
property as a secured bond in order to secure the pretrial 4745

release of an accused. 4746

(L) "Secured bond" means a financial bond to be paid prior 4747  
to the release of the accused in order to secure the accused's 4748  
pretrial release, and includes a monetary bond, percentage bond, 4749  
property bond, and surety bond. 4750

(M) "Surety" means a bond given by the accused or another 4751  
person that guarantees the appearance of the accused. 4752

(N) "Surety bond" means when a person other than the 4753  
accused posts a secured bond on behalf of the accused to secure 4754  
the accused's pretrial release from legal custody. 4755

(O) "Unsecured bond" means a promise, without any upfront 4756  
payment of money, to pay a specified amount of money if the 4757  
accused fails to appear for future court proceedings. 4758

**Sec. 2937.011.** (A) Except as provided in division (F) of 4759  
this section, if the accused is detained after arrest, the court 4760  
shall make a preliminary pretrial release decision for the 4761  
accused without unnecessary delay and not later than twenty-four 4762  
hours after the accused's arrest. In making the preliminary 4763  
pretrial release decision, the court shall order any of the 4764  
following: 4765

(1) The accused's release on personal recognizance; 4766

(2) A conditions of release hearing under section 2937.012 4767  
of the Revised Code on a motion of the prosecutor seeking the 4768  
hearing or on the court's own motion, to be held within forty- 4769  
eight hours of the accused's arrest if the accused is detained; 4770

(3) For those charged with an offense listed in section 4771  
2937.222 of the Revised Code, on a motion of the prosecutor 4772  
seeking the hearing or on the court's own motion, a detention 4773

hearing. 4774

(B) When ordering that an accused person be released on 4775  
personal recognizance, the court may also order, if the judicial 4776  
officer determines and makes written findings that one or more 4777  
of the following conditions is the least restrictive condition 4778  
necessary to assure the safety of any person or organization, 4779  
any of the following: 4780

(1) That the accused shall not commit an offense during 4781  
the period of release; 4782

(2) That the accused shall avoid all contact with a victim 4783  
of the alleged offense; 4784

(3) That the accused shall avoid all contact with 4785  
witnesses who may testify concerning the offense who are named 4786  
in the document authorizing the accused's release or in a 4787  
subsequent court order; 4788

(4) That the accused shall not leave a specified 4789  
geographic area; 4790

(5) That the accused shall not visit a specified location. 4791

(C) The court shall not assess on an accused person 4792  
released on personal recognizance any fee or monetary assessment 4793  
related to processing the accused's release. 4794

(D) When granting a motion for a conditions of release 4795  
hearing, the court may impose conditions of release pursuant to 4796  
division (A) of this section or detain the accused in jail until 4797  
the hearing, unless the accused has already been released from 4798  
custody. In that event, the court shall issue a notice to appear 4799  
to the accused to compel the accused's appearance at the 4800  
hearing. 4801

(E) If an accused person is released on personal 4802  
recognizance, the court shall request the accused's contact 4803  
information and current address and the accused shall provide 4804  
it, if available. The court shall provide the accused with 4805  
reminders of the accused's court appearances by telephone, text 4806  
message, and electronic message, if the accused provided the 4807  
court with the accused's contact information. 4808

(F) If the accused is a person described in division (A) 4809  
of section 2907.41 or division (A) of section 2919.251 of the 4810  
Revised Code, the provisions of those sections, respectively, 4811  
apply regarding the person and the setting of bail. 4812

**Sec. 2937.012.** (A) On a motion for a conditions of release 4813  
hearing, the court may do either of the following: 4814

(1) (a) If the offense is not a violation of section 4815  
2919.25 of the Revised Code that is a misdemeanor, grant the 4816  
motion and schedule the conditions of release hearing forthwith, 4817  
to be held not later than forty-eight hours after the accused is 4818  
arrested, if the accused is detained after arrest; 4819

(b) If the offense is a violation of section 2919.25 of 4820  
the Revised Code that is a misdemeanor, grant the motion and 4821  
schedule the conditions of release hearing forthwith, to be held 4822  
not later than seventy-two hours after the accused is arrested, 4823  
if the accused is detained after arrest. 4824

(2) Deny the motion and release the accused on personal 4825  
recognizance, as provided in section 2937.011 of the Revised 4826  
Code. 4827

(B) A conditions of release hearing scheduled pursuant to 4828  
division (A) (1) of this section shall be held unless the accused 4829  
or prosecutor requests a continuance. If the prosecutor requests 4830

a continuance, the court shall hold the hearing in an expedited 4831  
manner and not later than three calendar days after the 4832  
accused's first appearance. If the accused requests a 4833  
continuance, the court shall hold the hearing not later than 4834  
seven days after the accused's first appearance. 4835

(C) At the conditions of release hearing, all of the 4836  
following apply: 4837

(1) The accused has the right to be represented by counsel 4838  
and, if the accused is indigent, has the right to have counsel 4839  
appointed at the public's expense. The accused shall be afforded 4840  
an opportunity to testify, to present witnesses, to cross- 4841  
examine witnesses who appear at the hearing, and to present 4842  
information by proffer or otherwise. 4843

(2) The court shall order the pretrial release of the 4844  
accused on personal recognizance, and may set only the 4845  
conditions of release provided under division (A) of section 4846  
2937.013 of the Revised Code, unless there is clear and 4847  
convincing evidence that such conditions will not reasonably 4848  
assure the safety of any person or organization or will not 4849  
assure the appearance of the accused at a future date and time 4850  
during which the accused is required to appear before the court. 4851

(3) There shall be a rebuttable presumption that the 4852  
accused's release on personal recognizance will reasonably 4853  
assure the accused's appearance in court and the safety of any 4854  
other person or organization. 4855

(D) In determining whether additional conditions of 4856  
release are necessary to assure the safety of any person or 4857  
organization and to assure the appearance of the accused at a 4858  
future date and time during which the accused is required to 4859

appear before the court, the court shall only consider the 4860  
following: 4861

(1) Information related to the nature and circumstances of 4862  
the offense charged; 4863

(2) Information related to the danger to any person or 4864  
organization that results from the accused's release, if 4865  
applicable; 4866

(3) Any recommendations from pretrial services, where 4867  
applicable; 4868

(4) With regard to the accused's likelihood of not 4869  
appearing at a future date and time during which the accused is 4870  
required to appear before the court, the accused's employment, 4871  
community ties, family connections and obligations, past 4872  
conduct, and court appearance records. 4873

(E) After the conditions of release hearing, if the court 4874  
finds by clear and convincing evidence that any less restrictive 4875  
conditions of release would not reasonably assure the safety of 4876  
any person or organization and would not assure the appearance 4877  
of the accused at a future date and time during which the 4878  
accused is required to appear before the court, the court may 4879  
impose only the least restrictive conditions of release 4880  
necessary, as provided under section 2937.013 of the Revised 4881  
Code. 4882

(F) When issuing a release order imposing conditions of 4883  
release on the accused, the court shall do all of the following: 4884

(1) Include a written statement that sets forth all of the 4885  
conditions of release in a manner that is sufficiently clear and 4886  
specific to serve as a guide for the accused's conduct; 4887

(2) Advise the accused of the penalties for violating a condition of release, including the penalties for committing an offense while on pretrial release, including immediate arrest or issuance of a warrant for the accused's arrest; 4888  
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(3) Include written findings of fact and a written statement of the reasons for each condition imposed. 4892  
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(G) (1) Once the court orders conditions of release for the accused, any party may, at any time, request a modification of the conditions of release by filing a motion alleging that there has been a material change in circumstances that justifies a change in the conditions of release. 4894  
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(2) If the prosecutor seeks to strengthen or add conditions of release, the prosecutor shall file a motion with the court for a new conditions of release hearing. 4899  
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(3) If a party files a motion to remove any condition of release, the court may grant the motion with or without a new conditions of release hearing. If the court removes a condition of release, the court shall notify the accused in writing. 4902  
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(4) The court shall respond to a motion to modify conditions of release within thirty calendar days of the filing of the motion. 4906  
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**Sec. 2937.013.** (A) If the court finds, by clear and convincing evidence pursuant to section 2937.012 of the Revised Code, that any less restrictive conditions would not reasonably assure the safety of any person or organization and would not assure the appearance of the accused at a future date and time during which the accused is required to appear before the court, the court may impose the following conditions of release if they are determined to be the least restrictive means necessary: 4909  
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- (1) A requirement that the accused not commit an offense during the period of release; 4917  
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- (2) A requirement that the accused avoid all contact with a victim of the alleged offense; 4919  
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- (3) A requirement that the accused avoid all contact with witnesses who may testify regarding the offense; 4921  
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- (4) Reasonable restrictions with respect to travel and association; 4923  
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- (5) A requirement that the accused maintain employment or, if unemployed, actively seek employment; 4925  
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- (6) A requirement that the accused commence or maintain an education program; 4927  
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- (7) A reasonable curfew, taking into account the accused's employment and educational or other lawful commitments; 4929  
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- (8) A requirement that the accused refrain from possessing a firearm, destructive device, or other deadly weapon; 4931  
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- (9) A requirement that the accused refrain from the use or possession of a narcotic drug without a prescription from a licensed health professional authorized to prescribe drugs; 4933  
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- (10) A requirement that the accused undergo available medical, psychological, or psychiatric treatment or counseling for alcohol or drug dependency at no cost to the accused, subject to the following: 4936  
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- (a) The court may only order counseling for alcohol or drug dependency if the accused is charged with a drug-related offense or if the accused committed an offense of violence while under the influence of alcohol or drugs. 4940  
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(b) The court may only order medical, psychological, or psychiatric treatment if the court makes a written finding that the underlying facts of the case indicate a need for that treatment. 4944  
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(11) Electronic monitoring at no cost to the accused; 4948

(12) Periodic reporting to a designated supervisor at no cost to the accused, which the court shall specify whether to be done in person or by telephone; 4949  
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(13) Committing the accused to the custody or supervision of a designated person or organization that agrees to supervise the accused and assist in ensuring the accused's appearance in court; 4952  
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(14) Execution of a secured bond that the court may only order pursuant to section 2937.014 of the Revised Code for the purpose of assuring the appearance of the accused at a future date and time during which the accused is required to appear before the court; 4956  
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(15) A requirement that the accused refrain from visiting a specified location. 4961  
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(B) If an accused person is released with conditions of release, the court shall request the accused's contact information and the accused shall provide it, if available. The court shall provide the accused with reminders for all upcoming court dates via telephone, text message, and electronic mail, if the accused provided the court with the accused's contact information. 4963  
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Sec. 2937.014. (A) There shall be a presumption that any condition of release the court imposes shall be non-monetary. 4970  
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(B) A court may order that an accused person post a secured bond only if there is clear and convincing evidence that the accused will not appear at a future date and time during which the accused is required to appear before the court. 4972  
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(C) The court shall not set a secured bond by reference to a predetermined bond amount schedule. 4976  
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(D) The court shall not set a secured bond amount that an accused person cannot afford. If the court intends to set a secured bond as a condition of release, the court shall make an individualized ability to pay inquiry pursuant to section 2937.015 of the Revised Code. 4978  
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(E) In an order setting a secured bond as a condition of release, the court shall issue written findings regarding all of the following: 4983  
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(1) The clear and convincing evidence that the accused will not appear at a future date and time during which the accused is required to appear before the court; 4986  
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(2) Why monetary conditions of release will reasonably assure the appearance of the accused at a future date and time during which the accused is required to appear before the court; 4989  
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(3) Why the bond amount is the lowest amount necessary to reasonably assure the appearance of the accused at a future date and time during which the accused is required to appear before the court. 4992  
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(F) Whenever a person is charged with any offense other than a traffic offense that is not a moving violation and posts a secured bond, the person shall pay a surcharge of twenty-five dollars. The clerk of the court shall retain the twenty-five dollars until the person is convicted, pleads guilty, forfeits 4996  
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the bail bond, is found not guilty, or has the charges 5001  
dismissed. If the person is convicted, pleads guilty, or 5002  
forfeits the financial bail bond, the clerk shall transmit the 5003  
twenty-five dollars on or before the twentieth day of the month 5004  
following the month in which the person was convicted, pleaded 5005  
guilty, or forfeited the financial bail bond to the treasurer of 5006  
state and the treasurer of state shall deposit it into the 5007  
indigent defense support fund created under section 120.08 of 5008  
the Revised Code. If the person is found not guilty or the 5009  
charges are dismissed, the clerk shall return the twenty-five 5010  
dollars to the person. 5011

(G) The clerk of the court, deputy clerk of the court, the 5012  
magistrate, or a special referee appointed by the supreme court 5013  
pursuant to section 2937.46 of the Revised Code shall receive 5014  
all forms of secured bond and shall give a receipt to the person 5015  
who submitted the bond. 5016

(H) With the exception of the payment due when a secured 5017  
bond is set as a condition of release, the court shall not 5018  
require the accused to pay for any conditions of the accused's 5019  
pretrial release unless and until the accused is found guilty. 5020  
The court shall not assess any fee or other monetary assessment 5021  
on the accused related to processing the accused's release. 5022

**Sec. 2937.015.** (A) Pursuant to section 2937.014 of the 5023  
Revised Code, if a court intends to set a secured bond as a 5024  
condition of release for an accused, the court shall make an 5025  
ability to pay inquiry with regard to the accused. 5026

(1) The court shall make the ability to pay inquiry by 5027  
requesting that the accused complete an affidavit of financial 5028  
hardship and reviewing, where applicable, its contents and 5029  
calculating the maximum secured bond amount the accused can pay. 5030

(2) The affidavit of financial hardship shall meet both of 5031  
the following requirements: 5032

(a) It can only be used to determine how much money the 5033  
accused can reasonably afford to pay in a timely manner for a 5034  
secured bond; 5035

(b) The affidavit shall request information from the 5036  
accused regarding the accused's monthly income, monthly 5037  
expenses, and current debt, subject to the following: 5038

(i) Monthly income is limited to the accused's monthly 5039  
income after taxes and the accused's spouse's monthly income 5040  
after taxes, if applicable, and other sources of income, 5041  
including poverty-based public assistance; 5042

(ii) Monthly expenses include rent, mortgage, total 5043  
utilities, health care expenses, loan payments, credit card 5044  
payments, education expenses, employment expenses, 5045  
transportation expenses, child care expenses, child support, 5046  
spousal support, fines, court costs, and restitution; 5047

(iii) Debt inquiries include outstanding credit card debt, 5048  
outstanding student loans, and outstanding medical debt. 5049

(B) The court may only set a secured bond amount based on 5050  
the amount the accused is able to pay. 5051

(1) The maximum secured bond amount a court may set for an 5052  
accused person is twenty-five per cent of the total amount after 5053  
the accused's total monthly expenses are deducted from the 5054  
accused's total monthly income. 5055

(2) The court shall also consider the accused's debt, 5056  
where applicable, when setting a secured bond amount. 5057

(3) The court shall base the amount an accused person is 5058

able to pay for a secured bond on the amount of money the 5059  
accused person has available to the accused person within 5060  
twenty-four hours of the determination. 5061

(4) If the court sets a percentage bond, the total amount 5062  
of the percentage bond shall be an amount the accused person is 5063  
able to pay within twenty-four hours of the setting of the bond. 5064

**Sec. 2937.03.** After the announcement, as provided by 5065  
section 2937.02 of the Revised Code, the accused shall be 5066  
arraigned by the magistrate, clerk, or prosecutor of the court 5067  
reading the affidavit or complaint, or reading its substance, 5068  
omitting purely formal parts, to the accused unless the reading 5069  
of the affidavit or complaint is waived. The judge or magistrate 5070  
shall then inquire of the accused whether the accused 5071  
understands the nature of the charge. If the accused does not 5072  
indicate understanding, the judge or magistrate shall give 5073  
explanation in terms of the statute or ordinance claimed 5074  
violated. If the accused is not represented by counsel and 5075  
expresses a desire to consult with an attorney at law, the judge 5076  
or magistrate shall continue the case for a reasonable time to 5077  
allow the accused to send for or consult with counsel ~~and shall~~ 5078  
~~set bail for the later appearance if the offense is bailable. If~~ 5079  
~~the accused is not able to make bail, bail is denied, or the~~ 5080  
~~offense is not bailable, the court or magistrate shall require~~ 5081  
~~the officer having custody of the accused immediately to take a~~ 5082  
~~message to any attorney at law within the municipal corporation~~ 5083  
~~where the accused is detained, or immediately to make available~~ 5084  
~~to the accused use of a telephone for calling to arrange for~~ 5085  
~~legal counsel or bail.~~ 5086

**Sec. 2937.08.** Upon a plea of not guilty or a plea of once 5087  
in jeopardy, if the charge ~~be~~ is a misdemeanor in a court of 5088

record, the court shall proceed to set the matter for trial at a 5089  
future time, pursuant to Chapter 2938. of the Revised Code, ~~and~~ 5090  
~~shall let accused to bail pending such trial. Or he or the court~~ 5091  
may, but only if both prosecutor and accused expressly consent, 5092  
set the matter for trial ~~forthwith~~ without delay. 5093

Upon the entry of such pleas to a charge of misdemeanor in 5094  
a court not of record, the magistrate shall forthwith set the 5095  
matter for future trial or, with the consent of both state and 5096  
defendant may set trial forthwith, both pursuant to Chapter 5097  
2938. of the Revised Code, provided that if the nature of the 5098  
offense is such that right to jury trial exists, such matter 5099  
shall not be tried before ~~him the magistrate~~ unless the accused, 5100  
by writing subscribed by ~~him the accused~~, waives a jury and 5101  
consents to be tried by the magistrate. 5102

If the ~~defendant accused~~ in such event does not waive 5103  
right to jury trial, then the magistrate shall require the 5104  
accused to enter into recognizance to appear before a court of 5105  
record in the county, set by such magistrate, and the magistrate 5106  
shall thereupon certify all papers filed, together with 5107  
transcript of proceedings and accrued costs to date, and such 5108  
recognizance if given, to such designated court of record. Such 5109  
transfer shall not require the filing of indictment or 5110  
information and trial shall proceed in the transferee court 5111  
pursuant to Chapter 2938. of the Revised Code. If the court 5112  
seeks to set conditions of release, the court may only do so 5113  
pursuant to section 2937.012 of the Revised Code. 5114

**Sec. 2937.09.** If the charge is a felony, the court or 5115  
magistrate shall, before receiving a plea of guilty, advise the 5116  
accused that such plea constitutes an admission which may be 5117  
used against ~~him the accused~~ at a later trial. If the ~~defendant~~ 5118

accused enters a written plea of guilty or, pleading not guilty, 5119  
affirmatively waives the right to have the court or magistrate 5120  
take evidence concerning the offense, the court or magistrate 5121  
forthwith and without taking evidence may find that the crime 5122  
has been committed ~~and that there is probable and reasonable~~ 5123  
~~cause to hold the defendant for trial pursuant to indictment by~~ 5124  
~~the grand jury, and, if the offense is bailable, require the~~ 5125  
~~accused to enter into recognizance in such amount as it~~ 5126  
~~determines to appear before the court of common pleas pursuant~~ 5127  
~~to indictment, otherwise to be confined until the grand jury has~~ 5128  
~~considered and reported the matter.~~ The court shall make a 5129  
determination regarding the accused's conditions of release 5130  
pursuant to a conditions of release hearing under section 5131  
2937.012 of the Revised Code, or, when applicable, a detention 5132  
hearing under section 2937.222 of the Revised Code. 5133

**Sec. 2937.15.** Upon the conclusion of the hearing and 5134  
finding, the magistrate, or if a court of record, the clerk of 5135  
such court, shall complete all notations of appearance, motions, 5136  
pleas, and findings on the criminal docket of the court, and 5137  
shall transmit a transcript of the appearance docket entries, 5138  
together with a copy of the original complaint and affidavits, 5139  
if any, filed with the complaint, the journal or docket entry of 5140  
reason for changes in the charge, if any, together with the 5141  
order setting ~~bail and the bail deposit~~ the conditions of 5142  
release, if any, filed, and together with the videotaped 5143  
testimony, if any, prepared in accordance with division (C) of 5144  
section 2937.11 of the Revised Code, to the clerk of the court 5145  
in which the accused is to appear. Such transcript shall contain 5146  
an itemized account of the costs accrued. 5147

**Sec. 2937.16.** When an accused ~~enters into~~ agrees to a 5148  
~~recognizance non-monetary bond to appear~~ or is committed in 5149

default thereof, the judge or magistrate shall require such 5150  
witnesses against the prisoner as ~~he~~ the judge or magistrate 5151  
finds necessary, to enter into a ~~recognizance~~ non-monetary bond 5152  
to appear and testify before the proper court at a proper time, 5153  
and not depart from such court without leave. ~~If the judge or~~ 5154  
~~magistrate finds it necessary he may require such witnesses to~~ 5155  
~~give sufficient surety to appear at such court.~~ 5156

**Sec. 2937.17.** A person may be liable ~~in a recognizance~~ 5157  
under a non-monetary bond for a minor to appear as a witness, ~~or~~ 5158  
~~the judge or magistrate may take the minor's recognizance, in a~~ 5159  
~~sufficient sum,~~ which is valid notwithstanding the disability of 5160  
minority. 5161

**Sec. 2937.222.** (A) On the motion of the prosecuting 5162  
attorney or on the judge's own motion, the judge shall hold a 5163  
detention hearing to determine whether an accused person charged 5164  
with aggravated murder when it is not a capital offense, murder, 5165  
a felony of the first or second degree, a violation of section 5166  
2903.06 ~~of the Revised Code, a violation of section 2903.211,~~ 5167  
2919.25, or 2919.27 of the Revised Code that is a felony, or a 5168  
felony OVI offense shall be denied bail or assigned conditions 5169  
of release. The judge ~~shall~~ may order that the accused be 5170  
detained until the conclusion of the hearing. Except for good 5171  
cause, a continuance on the motion of the state shall not exceed 5172  
three court days. Except for good cause, a continuance on the 5173  
motion of the accused shall not exceed five ~~court~~ calendar days 5174  
unless the motion of the accused waives in writing the five-day 5175  
limit ~~and states in writing a specific period for which the~~ 5176  
~~accused requests a continuance.~~ A continuance granted upon a 5177  
motion of the accused that waives in writing the five-day limit 5178  
shall not exceed five ~~court~~ calendar days after the period of 5179  
continuance requested in the motion. 5180



At the hearing, the accused has the right to be 5181  
represented by counsel and, if the accused is indigent, to have 5182  
counsel appointed. The judge shall afford the accused an 5183  
opportunity to testify, to present witnesses and other 5184  
information, and to cross-examine witnesses who appear at the 5185  
hearing. The rules concerning admissibility of evidence in 5186  
criminal trials do not apply to the presentation and 5187  
consideration of information at the hearing. Regardless of 5188  
whether the hearing is being held on the motion of the 5189  
prosecuting attorney or on the court's own motion, the state has 5190  
the burden of proving that the proof is evident or the 5191  
presumption great that the accused committed the offense with 5192  
which the accused is charged, of proving that the accused poses 5193  
a substantial risk of serious physical harm to any person or ~~to~~ 5194  
~~the community~~organization, and of proving that no release 5195  
conditions will reasonably assure the safety of that person ~~and~~ 5196  
~~the community~~or organization.

The judge may reopen the hearing at any time before trial 5198  
if the judge finds that information exists that was not known to 5199  
the movant at the time of the hearing and that that information 5200  
has a material bearing on whether bail should be denied. If a 5201  
municipal court or county court enters an order denying bail, a 5202  
judge of the court of common pleas having jurisdiction over the 5203  
case may continue that order or may hold a hearing pursuant to 5204  
this section to determine whether to continue that order. 5205

(B) No accused person shall be denied bail pursuant to 5206  
this section unless the judge finds by clear and convincing 5207  
evidence that the proof is evident ~~or~~and the presumption great 5208  
that the accused committed the offense described in division (A) 5209  
of this section with which the accused is charged, finds by 5210  
clear and convincing evidence that the accused poses a 5211

substantial risk of serious physical harm to any person or ~~to~~ 5212  
~~the community~~organization, and finds by clear and convincing 5213  
evidence that no release conditions will reasonably assure the 5214  
safety of that person ~~and the community~~ or organization. 5215

(C) The judge, in determining whether the accused person 5216  
described in division (A) of this section poses a substantial 5217  
risk of serious physical harm to any person or ~~to the community~~ 5218  
organization and whether there are conditions of release that 5219  
will reasonably assure the safety of that person ~~and the~~ 5220  
~~community~~ or organization, shall consider all available 5221  
information regarding all of the following: 5222

(1) The nature and circumstances of the offense charged, 5223  
including whether the offense is an offense of violence or 5224  
involves alcohol or a drug of abuse; 5225

(2) The weight of the evidence against the accused; 5226

(3) The history and characteristics of the accused, 5227  
including, but not limited to, both of the following: 5228

(a) The character, physical and mental condition, family 5229  
ties, employment, financial resources, length of residence in 5230  
the community, community ties, past conduct, history relating to 5231  
drug or alcohol abuse, and criminal history of the accused; 5232

(b) Whether, at the time of the current alleged offense or 5233  
at the time of the arrest of the accused, the accused was on 5234  
probation, parole, post-release control, or other release 5235  
pending trial, sentencing, appeal, or completion of sentence for 5236  
the commission of an offense under the laws of this state, 5237  
another state, or the United States or under a municipal 5238  
ordinance. 5239

(4) The nature and seriousness of the danger to any person 5240

or ~~the community organization~~ that would be posed by the 5241  
person's release. 5242

(D) (1) An order of the court of common pleas denying bail 5243  
pursuant to this section is a final appealable order. In an 5244  
appeal pursuant to division (D) of this section, the court of 5245  
appeals shall do ~~all~~ both of the following: 5246

(a) ~~Give the appeal priority on its calendar~~ Enter its 5247  
judgment affirming or reversing the order denying bail within 5248  
fifteen calendar days; 5249

(b) Liberally modify or dispense with formal requirements 5250  
in the interest of a speedy and just resolution of the appeal. 5251

~~(c) Decide the appeal expeditiously;~~ 5252

~~(d) Promptly enter its judgment affirming or reversing the~~ 5253  
~~order denying bail.~~ 5254

(2) The pendency of an appeal under this section does not 5255  
deprive the court of common pleas of jurisdiction to conduct 5256  
further proceedings in the case or to further consider the order 5257  
denying bail in accordance with this section. If, during the 5258  
pendency of an appeal under division (D) of this section, the 5259  
court of common pleas sets aside or terminates the order denying 5260  
bail, the court of appeals shall dismiss the appeal. 5261

(E) As used in this section: 5262

(1) ~~"Court day" has the same meaning as in section 5122.01~~ 5263  
~~of the Revised Code.~~ 5264

~~(2)~~ "Felony OVI offense" means a third degree felony OVI 5265  
offense and a fourth degree felony OVI offense. 5266

~~(3)~~ (2) "Fourth degree felony OVI offense" and "third 5267

degree felony OVI offense" have the same meanings as in section 5268  
2929.01 of the Revised Code. 5269

**Sec. 2937.23.** (A) ~~(1) In a case involving a felony or a 5270  
violation of section 2903.11, 2903.12, or 2903.13 of the Revised 5271  
Code when the victim of the offense is a peace officer, the 5272  
judge or magistrate shall fix the amount of bail. 5273~~

~~(2) In a case involving a misdemeanor or a violation of a 5274  
municipal ordinance and not involving a felony or a violation of 5275  
section 2903.11, 2903.12, or 2903.13 of the Revised Code when 5276  
the victim of the offense is a peace officer, the judge, 5277  
magistrate, or clerk of the court may fix the amount of bail and 5278  
may do so in accordance with a schedule previously fixed by the 5279  
judge or magistrate. If the judge, magistrate, or clerk of the 5280  
court is not readily available, the sheriff, deputy sheriff, 5281  
marshal, deputy marshal, police officer, or jailer having 5282  
custody of the person charged may fix the amount of bail in 5283  
accordance with a schedule previously fixed by the judge or 5284  
magistrate and shall take the bail only in the county 5285  
courthouse, the municipal or township building, or the county or 5286  
municipal jail. 5287~~

~~(3) In all cases, the bail shall be fixed with 5288  
consideration of the seriousness of the offense charged, the 5289  
previous criminal record of the defendant, and the probability 5290  
of the defendant appearing at the trial of the case. 5291~~

~~(B) In any case involving an alleged violation of section 5292  
2903.211 of the Revised Code or of a municipal ordinance that is 5293  
substantially similar to that section, the court shall determine 5294  
whether it will order an evaluation of the mental condition of 5295  
the defendant pursuant to section 2919.271 of the Revised Code 5296  
and, if it decides to so order, shall issue the order requiring 5297~~

the evaluation before or after it sets bail or conditions of 5298  
release for the person charged with the violation. In any case 5299  
involving an alleged violation of section 2919.27 of the Revised 5300  
Code or of a municipal ordinance that is substantially similar 5301  
to that section and in which the court finds that either of the 5302  
following criteria applies, the court shall determine whether it 5303  
will order an evaluation of the mental condition of the 5304  
defendant pursuant to section 2919.271 of the Revised Code and, 5305  
if it decides to so order, shall issue the order requiring that 5306  
evaluation before or after it sets bail or conditions of release 5307  
for the person charged with the violation: 5308

(1) Regarding an alleged violation of a protection order 5309  
issued or consent agreement approved pursuant to section 2919.26 5310  
or 3113.31 of the Revised Code, that the violation allegedly 5311  
involves conduct by the defendant that caused physical harm to 5312  
the person or property of a family or household member covered 5313  
by the order or agreement or conduct by that defendant that 5314  
caused a family or household member to believe that the 5315  
defendant would cause physical harm to that member or that 5316  
member's property; 5317

(2) Regarding an alleged violation of a protection order 5318  
issued pursuant to section 2903.213 or 2903.214 of the Revised 5319  
Code, or a protection order issued by a court of another state, 5320  
as defined in section 2919.27 of the Revised Code, that the 5321  
violation allegedly involves conduct by the defendant that 5322  
caused physical harm to the person or property of the person 5323  
covered by the order or conduct by that defendant that caused 5324  
the person covered by the order to believe that the defendant 5325  
would cause physical harm to that person or that person's 5326  
property. 5327

~~(C) As used in this section, "peace officer" has the same~~ 5328  
~~meaning as in (B) If the court orders that a mental health~~ 5329  
~~evaluation be conducted before setting conditions of release, a~~ 5330  
~~conditions of release hearing shall be scheduled forthwith after~~ 5331  
~~the submission of the mental health evaluation, notwithstanding~~ 5332  
~~the timing requirements of the conditions of release hearing~~ 5333  
~~provided by section 2935.01-2937.012 of the Revised Code.~~ 5334

**Sec. 2937.24.** When a ~~recognizance~~ property bond is offered 5335  
~~under section 2937.22 of the Revised Code,~~ the surety on which 5336  
~~recognizance~~ the property bond qualifies as a real property 5337  
owner, the judge or magistrate shall require such surety to 5338  
pledge to this state real property owned by the surety and 5339  
located in this state. Whenever such pledge of real property has 5340  
been given by any such proposed surety, ~~he~~ the proposed surety 5341  
shall execute the usual form of recognizance, and in addition 5342  
thereto there shall be filed ~~his~~ an affidavit of justification 5343  
of suretyship, to be attached to said recognizance as a part 5344  
thereof. The surety may be required in such affidavit to depose 5345  
as to whether ~~he~~ the surety is, at the time of executing the 5346  
same, surety upon any other ~~recognizance~~ bond and as to whether 5347  
there are any unsatisfied judgments or executions against ~~him~~ 5348  
the surety. ~~He~~ The surety may also be required to state any 5349  
other fact which the court thinks relevant and material to a 5350  
correct determination of the surety's sufficiency to act as 5351  
~~bail~~ bond. Such surety shall state in such affidavit where 5352  
notices under section 2937.38 of the Revised Code may be served 5353  
on ~~himself~~ the surety, and service of notice of summons at such 5354  
place is sufficient service for all purposes. 5355

Such affidavit shall be executed by the proposed surety 5356  
under an oath and may be in the following form: 5357

"State of Ohio, County of \_\_\_\_\_, ss: 5358  
\_\_\_\_\_ residing at \_\_\_\_\_, who offers 5359  
~~himself~~ self as surety for \_\_\_\_\_ being first duly sworn, 5360  
says that ~~he~~ the surety owns in ~~his~~ the surety's own legal 5361  
right, real property subject to execution, located in the county 5362  
of \_\_\_\_\_, State of Ohio, consisting of \_\_\_\_\_ and 5363  
described as follows to wit: \_\_\_\_\_; that the title to the 5364  
same is in ~~his~~ the surety's own name; that the value of the same 5365  
is not less than \_\_\_\_\_ dollars, and is subject to no 5366  
encumbrances whatever except \_\_\_\_\_; that ~~he~~ the surety is 5367  
not surety upon any unpaid or forfeited recognizance, and that 5368  
~~he~~ the surety is not party to any unsatisfied judgment upon any 5369  
recognizance; that ~~he~~ the surety is worth not less than 5370  
\_\_\_\_\_ dollars over and above all debts, liabilities, and 5371  
lawful claims against ~~him~~ the surety, and all liens, 5372  
encumbrances, and lawful claims against ~~his~~ the surety's 5373  
property." 5374

**Sec. 2937.25.** Upon the execution of any ~~recognizance~~ 5375  
property bond in an amount in excess of two hundred dollars in 5376  
the usual form, and an affidavit of justification under section 5377  
2937.24 of the Revised Code, there shall attach to the real 5378  
property described in said affidavit of justification, a lien in 5379  
favor of this state in the penal sum of the ~~recognizance~~ property 5380  
bond, which lien shall remain in full force and effect during 5381  
such time as such ~~recognizance~~ property bond remains effective, 5382  
or until further order of the court. Upon the acceptance by the 5383  
judge or magistrate of such ~~recognizance~~ property bond, 5384  
containing such affidavit of justification, the said 5385  
~~recognizance~~ property bond shall be immediately filed with the 5386  
clerk of said court, if there is a clerk, or with the 5387  
magistrate. The clerk of the court or the magistrate shall 5388

forthwith, upon the filing with ~~him~~the clerk or magistrate of 5389  
such ~~recognizance~~property bond, file with the county recorder of 5390  
the county in which such real property is located, a notice or 5391  
lien, in writing, in substance as follows: 5392

"To whom it may concern: 5393

Take notice that the hereinafter described real property, 5394  
located in the county of \_\_\_\_\_, has been pledged for the 5395  
sum of \_\_\_\_\_ dollars, to the state of Ohio, by \_\_\_\_\_ 5396  
surety upon the recognizance of \_\_\_\_\_ in a certain cause 5397  
pending in the \_\_\_\_\_ court of the county (or city) of 5398  
\_\_\_\_\_, to wit: the state of Ohio, plaintiff, versus 5399  
\_\_\_\_\_ defendant, known and identified in such court as 5400  
cause No. \_\_\_\_\_ 5401

Description of real estate: \_\_\_\_\_ Clerk of 5402  
the court for the county of \_\_\_\_\_ or \_\_\_\_\_ Magistrate. 5403

Dated \_\_\_\_\_ " 5404

From the time of the filing and recording of such notice 5405  
it is notice to everyone that the real property therein 5406  
described has been pledged to this state as security for the 5407  
performance of the conditions of a criminal recognizance in the 5408  
penal sum set forth in said recognizance and notice. Such lien 5409  
does not affect the validity of prior liens on said property. 5410

**Sec. 2937.26.** Whenever, by the order of a court, a 5411  
~~recognizance under sections 2937.24 and 2937.25 of the Revised~~ 5412  
~~Code~~property bond has been canceled, discharged, or set aside, 5413  
or the cause ~~in~~for which ~~such recognizance is taken~~that 5414  
property bond was executed has been dismissed or otherwise 5415  
terminated the clerk of such court shall forthwith file with the 5416  
county recorder of the county in which the real property is 5417



located, a notice of discharge in writing, in substance as 5418  
follows: 5419

"To whom it may concern: 5420

Take notice that by the order of the court of 5421  
\_\_\_\_\_ (naming court) \_\_\_\_\_ of the county (or 5422  
city) of \_\_\_\_\_, the recognizance of \_\_\_\_\_ as 5423  
principal, and \_\_\_\_\_ as surety, given in the cause of 5424  
the State of Ohio, plaintiff, versus \_\_\_\_\_, defendant, 5425  
known and identified as Cause No. \_\_\_\_\_ in said court, is 5426  
canceled, discharged, and set aside, and the lien of the State 5427  
of Ohio on the real property therein pledged as security, is 5428  
hereby waived, discharged, and set aside. 5429

\_\_\_\_\_ Clerk of the court. 5430

Dated \_\_\_\_\_ " 5431

**Sec. 2937.27.** The county recorder of the county in which 5432  
the property of a surety on a ~~recognizance~~ property bond is 5433  
located, shall keep and file in the official records all notices 5434  
of lien and notices of discharge that are filed with the county 5435  
recorder pursuant to section 2937.26 of the Revised Code. When a 5436  
lien has been released or discharged for a period of one year, 5437  
the county recorder may destroy all notices of such lien. The 5438  
county recorder may use any nonpaper electronic or magnetic 5439  
medium specified in section 9.01 of the Revised Code to record 5440  
the notices of lien and the notices of discharge. If the county 5441  
recorder wishes to dispose of paper versions of the notices 5442  
because they are no longer needed in that format, the county 5443  
recorder shall request the county records commission to revise 5444  
the county's schedule of records retention and disposal in 5445  
accordance with section 149.38 of the Revised Code to provide 5446

for the disposal of those paper records. 5447

**Sec. 2937.28.** All ~~recognizances~~ property bonds shall be 5448  
returnable to and all deposits shall be held by or subject to 5449  
the order of the court or magistrate before whom the accused is 5450  
to appear initially, and upon the transfer of the case to any 5451  
other court or magistrate shall be returnable to and transmitted 5452  
to the transferee court or magistrate. 5453

It is not necessary for the accused to give a new 5454  
~~recognizance~~ property bond for appearance in common pleas court 5455  
for arraignment upon indictment or pending appeal after judgment 5456  
and sentence, unless the magistrate or judge of the trial court 5457  
or the court to which appeal is taken, shall, for good cause 5458  
shown, increase or decrease the amount of the 5459  
~~recognizance~~ property bond, but ~~such recognizance that property~~ 5460  
bond shall continue and be in full force until trial and appeal 5461  
therefrom is finally determined. When two or more charges are 5462  
filed, or indictments returned, against the same person at or 5463  
about the same time, the ~~recognizance~~ property bond given may be 5464  
made to include all offenses charged against the accused. 5465

**Sec. 2937.281.** In cases of felony, the ~~recognizance~~ 5466  
property bond shall be signed by the accused and one or more 5467  
adult residents of the county in which the case is pending, who 5468  
shall own, in the aggregate, real property double the amount set 5469  
as ~~bail~~ condition of monetary bond, over and above all 5470  
encumbrances and liable to execution in at least that amount; or 5471  
it may be signed by the accused and a surety company authorized 5472  
to do business in this state. 5473

In cases of misdemeanor, the ~~recognizance~~ property bond 5474  
may be signed by the accused and one or more adult residents, 5475  
qualified as set forth above or as to personal property 5476

ownership, by the accused and surety company, or, if authorized 5477  
by judge or magistrate, by the accused alone. In cases of 5478  
misdemeanors arising under Chapters 4501., 4503., 4505., 4507., 5479  
4509., 4511., 4513., 4517., and 4549. of the Revised Code, and 5480  
related ordinance offenses (except those of driving under the 5481  
influence of intoxicating liquor or controlled substances and 5482  
leaving the scene of an accident) the court or magistrate shall 5483  
accept guaranteed arrest bond with respect to which a surety 5484  
company has become surety as provided in section 3929.141 of the 5485  
Revised Code in lieu of ~~cash bail~~ a monetary bond in an amount 5486  
not to exceed two hundred dollars. 5487

**Sec. 2937.29.** When from all the circumstances the court is 5488  
of the opinion that the accused will appear as required, either 5489  
before or after conviction, the accused may be released on ~~his~~ 5490  
the accused's own recognizance, as provided in sections 2937.011 5491  
and 2937.012 of the Revised Code. A failure to appear as 5492  
required by such recognizance shall constitute an offense 5493  
subject to the penalty provided in section 2937.99 of the 5494  
Revised Code. 5495

**Sec. 2937.30.** When a defendant is discharged by the trial 5496  
court otherwise than on a verdict or finding of acquittal, or 5497  
when the appellate court reverses a conviction and orders the 5498  
discharge of the defendant and the state or municipality 5499  
signifies its intention to appeal therefrom, or the record is 5500  
certified to the supreme court, the defendant shall not be 5501  
discharged if ~~he~~ the defendant is in jail, nor the surety 5502  
discharged or deposit released if the defendant ~~is on bail~~ has 5503  
monetary bond, but the trial court, or the court to which appeal 5504  
is taken may make order for ~~his~~ the defendant's release on ~~his~~ 5505  
the defendant's own recognizance or ~~bail~~ monetary bond, or 5506  
recommit ~~him~~ the defendant. 5507

**Sec. 2937.33.** When a transcript or recognizance is 5508  
received by the clerk of the court of common pleas, or of any 5509  
court of record to which proceedings are transferred, ~~he~~the 5510  
clerk shall enter the same upon the appearance docket of the 5511  
court, with the date of the filing of such transcript or 5512  
recognizance, the date and amount, if any, of the 5513  
~~recognizance~~secured or unsecured bonds, the names of the 5514  
sureties, and the costs. Such recognizance is then of record in 5515  
such court, and is proceeded on by process issuing therefrom, in 5516  
a like manner as if it had been entered into before such court. 5517  
When a court having recognizance of an offense takes a 5518  
recognizance, it is a sufficient record thereof to enter upon 5519  
the journal of such court the title of the case, the crime 5520  
charged, the names of the sureties, the amount, if any, of the 5521  
~~recognizance~~secured or unsecured bonds, and the time therein 5522  
required for the appearance of the accused. In making the 5523  
complete record, when required to be made, recognizances whether 5524  
returned to or taken in such court shall be recorded in full, if 5525  
required by the prosecutor or the accused. 5526

**Sec. 2937.34.** When a person is committed to jail, charged 5527  
with an offense for which ~~he~~the person has not been indicted, 5528  
and claims to be unlawfully detained, the sheriff on demand of 5529  
the accused or ~~his~~the accused's counsel shall forthwith notify 5530  
the court of common pleas, and the prosecuting attorney, to 5531  
attend an examining court, the time of which shall be fixed by 5532  
the judge. The judge shall hear said cause or complaint, examine 5533  
the witnesses, and make such order as the justice of the case 5534  
requires, and for such purpose the court may ~~admit to bail,~~ 5535  
~~release without bond~~the accused on personal recognizance, set 5536  
conditions of release under section 2937.012 of the Revised 5537  
Code, or recommit to jail in accordance with the commitment. In 5538

the absence of the judge of the court of common pleas, the 5539  
probate judge shall hold such examining court. 5540

**Sec. 2937.35.** (A) The court may only forfeit a monetary 5541  
bond because of the accused's failure to appear. 5542

(B) Upon the failure of the accused ~~or witness~~ to appear 5543  
in accordance with ~~its terms the bail~~ the accused's secured or 5544  
unsecured bonds, those bonds may in open court be adjudged 5545  
~~forfeit~~forfeited, in whole or in part by the court or magistrate 5546  
before whom ~~he~~ the accused is to appear, if there is no evidence 5547  
provided that indicates that the accused is being held by 5548  
another jurisdiction. But such court or magistrate may, in ~~its~~ 5549  
the court's or magistrate's discretion, continue the cause to a 5550  
later date certain, giving notice of such date to ~~him~~ the 5551  
accused and the ~~bail~~ bond depositor or sureties, if any, and 5552  
adjudge the ~~bail~~ bond forfeit upon failure to appear at such 5553  
later date. 5554

(C) If at any time within ninety days after the forfeiture 5555  
the accused appears and provides satisfactory information to the 5556  
court regarding the accused's failure to appear at the required 5557  
hearing, the court shall direct the forfeiture be discharged. 5558

**Sec. 2937.36.** Upon declaration of forfeiture, the 5559  
magistrate or clerk of the court adjudging forfeiture shall 5560  
proceed, after ninety days, as follows: 5561

(A) As to each ~~bail~~ secured bond, the magistrate or clerk 5562  
shall proceed forthwith to deal with the sum deposited as if the 5563  
same were imposed as a fine for the offense charged and 5564  
distribute and account for the same accordingly provided that 5565  
prior to so doing, the magistrate or clerk may satisfy accrued 5566  
costs in the case out of the fund. 5567

(B) As to any securities deposited, the magistrate or clerk shall proceed to sell the same, either at public sale advertised in the same manner as sale on chattel execution, or through any state or national bank performing such service upon the over the counter securities market and shall apply proceeds of sale, less costs or brokerage thereof as in cases of forfeited ~~cash bail~~monetary bonds. Prior to such sale, the clerk shall give notices by ordinary mail to the depositor, at the depositor's address listed of record, if any, of the intention so to do, and such sale shall not proceed if the depositor, within ten days of mailing of such notice appears, and redeems said securities by either producing the body of the defendant in open court or posting the amount set ~~in the recognizance in~~cash at the conditions of release hearing, to be dealt with as a forfeited ~~cash bail~~monetary bond.

(C) As to ~~recognizances~~property bonds the magistrate or clerk shall notify the accused and each surety within fifteen days after the declaration of the forfeiture by ordinary mail at the address shown by them in their affidavits of qualification or on the record of the case, of the default of the accused and the adjudication of forfeiture and require each of them to show cause on or before a date certain to be stated in the notice, and which shall be not less than forty-five nor more than sixty days from the date of mailing notice, why judgment should not be entered against each of them for the penalty stated in the ~~recognizance~~property bond. If good cause by production of the body of the accused or otherwise is not shown, the court or magistrate shall thereupon enter judgment against the sureties or either of them, so notified, in such amount, not exceeding the penalty of the bond, as has been set in the adjudication of forfeiture, and shall award execution therefor as in civil

cases. The proceeds of sale shall be received by the clerk or 5599  
magistrate and distributed as on forfeiture of ~~cash bail~~monetary 5600  
bonds. 5601

**Sec. 2937.37.** A magistrate or court of record inferior to 5602  
the court of common pleas may proceed to judgment against a 5603  
surety on a ~~recognizance~~property bond, and levy on ~~his~~the 5604  
surety's personal property, notwithstanding that the bond may 5605  
exceed the monetary limitations on the jurisdiction of such 5606  
court in civil cases, and jurisdiction over the person of surety 5607  
shall attach from the mailing of the notice specified in section 5608  
2937.36 of the Revised Code, notwithstanding that such surety 5609  
may not be within the territorial jurisdiction of the court; but 5610  
levy on real property shall be made only through issuance, 5611  
return, and levy made under certificate of judgment issued to 5612  
the clerk of the court of common pleas pursuant to section 5613  
2329.02 of the Revised Code. 5614

**Sec. 2937.39.** After judgment has been rendered against 5615  
surety or after securities sold or ~~cash bail~~monetary bonds 5616  
applied, the court or magistrate, on the appearance, surrender, 5617  
or re-arrest of the accused on the charge, may remit all or such 5618  
portion of the penalty as it deems just and in the case of 5619  
previous application and transfer of cash or proceeds, the 5620  
magistrate or clerk may deduct an amount equal to the amount so 5621  
transferred from subsequent payments to the agencies receiving 5622  
such proceeds of forfeiture until the amount is recouped for the 5623  
benefit of the person or persons entitled thereto under order or 5624  
remission. 5625

**Sec. 2937.40.** (A) ~~Bail~~Monetary conditions of release of 5626  
any type that ~~is~~are deposited under ~~sections 2937.22 to 2937.45~~ 5627  
section 2937.014 of the Revised Code or Criminal Rule 46 by a 5628

person other than the accused shall be discharged and released, 5629  
and sureties on recognizances shall be released, in any of the 5630  
following ways: 5631

(1) When a surety on a recognizance or the depositor of 5632  
cash or securities as ~~bail~~a condition of release for an accused 5633  
desires to surrender the accused before the appearance date, the 5634  
surety is discharged from further responsibility or the deposit 5635  
is redeemed in either of the following ways: 5636

(a) By delivery of the accused into open court; 5637

(b) When, on the written request of the surety or 5638  
depositor, the clerk of the court to which recognizance is 5639  
returnable or in which deposit is made issues to the sheriff a 5640  
warrant for the arrest of the accused and the sheriff indicates 5641  
on the return that ~~he~~the sheriff holds the accused in ~~his~~the 5642  
sheriff's jail. 5643

(2) By appearance of the accused in accordance with the 5644  
terms of the recognizance or deposit and the entry of judgment 5645  
by the court or magistrate; 5646

(3) By payment into court, after default, of the sum fixed 5647  
in the ~~recognizance~~conditions of release or the sum fixed in 5648  
the order of forfeiture, if it is less. 5649

(B) When cash or securities have been deposited as ~~bail~~a 5650  
condition of release by a person other than the accused and the 5651  
~~bail~~monetary condition of release is discharged and released 5652  
pursuant to division (A) of this section, or when property has 5653  
been pledged by a surety on recognizance and the surety on 5654  
recognizance has been released pursuant to division (A) of this 5655  
section, the court shall not deduct any amount from the cash or 5656  
securities or declare forfeited and levy or execute against 5657



pledged property. The court shall not apply any of the deposited 5658  
cash or securities toward, or declare forfeited and levy or 5659  
execute against property pledged for a recognizance for, the 5660  
satisfaction of any penalty or fine, and court costs, assessed 5661  
against the accused upon ~~his~~ the accused's conviction or guilty 5662  
plea, except upon express approval of the person who deposited 5663  
the cash or securities or the surety. 5664

(C) ~~Bail~~ Monetary conditions of release of any type that 5665  
~~is~~ are deposited under ~~sections 2937.22 to 2937.45~~ section 5666  
2937.014 of the Revised Code or Criminal Rule 46 by an accused 5667  
shall be discharged and released to the accused, and property 5668  
pledged by an accused for a recognizance shall be discharged, 5669  
upon the appearance of the accused in accordance with the terms 5670  
of the recognizance or deposit and the entry of judgment by the 5671  
court or magistrate, except that, if the defendant is not 5672  
indigent, the court may apply deposited ~~bail~~ money toward the 5673  
satisfaction of a penalty or fine, and court costs, assessed 5674  
against the accused upon ~~his~~ the accused's conviction or guilty 5675  
plea, and may declare forfeited and levy or execute against 5676  
pledged property for the satisfaction of a penalty or fine, and 5677  
court costs, assessed against the accused upon ~~his~~ the accused's 5678  
conviction or guilty plea. 5679

(D) Notwithstanding any other provision of this section, 5680  
an Ohio driver's or commercial driver's license that is 5681  
deposited as bond may be forfeited and otherwise handled as 5682  
provided in section 2937.221 of the Revised Code. 5683

**Sec. 2937.41.** On the discharge of ~~bail~~ monetary conditions 5684  
of release, the magistrate or clerk of the court shall return, 5685  
subject to division (B) or (C) of section 2937.40 of the Revised 5686  
Code, deposited cash or securities to the depositor, but the 5687

magistrate or clerk of the court may require presentation of an 5688  
issued original receipt as a condition to the return. In the 5689  
case of discharged recognizances, subject to division (B) or (C) 5690  
of section 2937.40 of the Revised Code, the magistrate or clerk 5691  
of the court shall endorse the satisfaction on the recognizance 5692  
and shall forthwith transmit to the county recorder the notice 5693  
of discharge provided for in section 2937.26 of the Revised 5694  
Code. 5695

**Sec. 2937.45.** Commitments substantially in the forms 5696  
following are sufficient: 5697

COMMITMENT AFTER EXAMINATION 5698

The State of Ohio, \_\_\_\_\_ County, ss: 5699

To the Keeper of the Jail of the County aforesaid, greeting: 5700

Whereas, E.F. has been arrested, on the oath of C.D., for 5701  
(here describe the offense), and has been examined by me on such 5702  
charge, and required to give ~~bail~~ a secured bond in the sum of 5703  
\_\_\_\_\_ dollars for ~~his~~ appearance before the court of 5704  
common pleas with which requisition ~~he~~ E.F. has failed to 5705  
comply. Therefore, in the name of the state of Ohio, I command 5706  
you to receive the said E.F. into your custody, in the jail of 5707  
the county aforesaid, there to remain until discharged by due 5708  
course of law. 5709

Given under my hand, this \_\_\_\_\_ day of 5710

A.B., Judge COMMITMENT PENDING EXAMINATION 5711

The State of Ohio, \_\_\_\_\_ County, ss: 5712

To the Keeper of the Jail of the County aforesaid, greeting: 5713

Whereas, E.F. has been arrested on the oath of C.D., for 5714

(here describe the offense) and has been brought before me for 5715  
examination and the same has been necessarily postponed by 5716  
reason of (here state the cause of delay). Therefore, I command 5717  
you, in the name of the state of Ohio, to receive the said E.F. 5718  
into your custody in the jail of the county aforesaid (or in 5719  
such other place as the justice shall name) there to remain 5720  
until discharged by due course of law. 5721

Given under my hand, this \_\_\_\_\_ day of 5722

A.B., Judge 5723

**Sec. 2937.46.** (A) The supreme court of Ohio, in the 5724  
interest of uniformity of procedure in the various courts and 5725  
for the purpose of promoting prompt and efficient disposition of 5726  
cases arising under the traffic laws of this state and related 5727  
ordinances, may make uniform rules for practice and procedure in 5728  
courts inferior to the court of common pleas not inconsistent 5729  
with the provisions of Chapter 2937. of the Revised Code, 5730  
including, but not limited to: 5731

(1) Separation of arraignment and trial of traffic and 5732  
other types of cases; 5733

(2) Consolidation of cases for trial; 5734

(3) Transfer of cases within the same county for the 5735  
purpose of trial; 5736

(4) Designation of special referees for hearings or for 5737  
receiving pleas or bail at times when courts are not in session; 5738

~~(5) Fixing of reasonable bonds, and disposition of cases~~ 5739  
~~in which bonds have been forfeited.~~ 5740

(B) Except as otherwise specified in division (N) of 5741  
section 4511.19 of the Revised Code, all of the rules described 5742

in division (A) of this section, when promulgated by the supreme 5743  
court, shall be fully binding on all courts inferior to the 5744  
court of common pleas and on the court of common pleas in 5745  
relation to felony violations of division (A) of section 4511.19 5746  
of the Revised Code and shall effect a cancellation of any local 5747  
court rules inconsistent with the supreme court's rules. 5748

**Sec. 2941.58.** When a motion to quash or a plea in 5749  
abatement is adjudged in favor of the accused, the trial court 5750  
may order the case to be resubmitted to the grand jury, if then 5751  
pending, or to the next succeeding grand jury. The accused then 5752  
may be committed to jail or ~~held to bail in such sum~~ monetary 5753  
conditions of release may be set as the trial court requires for 5754  
~~his~~ the accused's appearance to answer at a time to be fixed by 5755  
the court pursuant to section 2937.013 of the Revised Code. 5756

**Sec. 2949.091.** (A) (1) (a) The court in which any person is 5757  
convicted of or pleads guilty to any offense shall impose one of 5758  
the following sums as costs in the case in addition to any other 5759  
court costs that the court is required by law to impose upon the 5760  
offender: 5761

(i) Thirty dollars if the offense is a felony; 5762

(ii) Twenty dollars if the offense is a misdemeanor other 5763  
than a traffic offense that is not a moving violation; 5764

(iii) Ten dollars if the offense is a traffic offense that 5765  
is not a moving violation, excluding parking violations. 5766

(b) All moneys collected pursuant to division (A) (1) (a) of 5767  
this section during a month shall be transmitted on or before 5768  
the twentieth day of the following month by the clerk of the 5769  
court to the treasurer of state and deposited by the treasurer 5770  
of state to the credit of the indigent defense support fund 5771

established under section 120.08 of the Revised Code. The court 5772  
shall not waive the payment of the additional thirty-, twenty-, 5773  
or ten-dollar court costs, unless the court determines that the 5774  
offender is indigent and waives the payment of all court costs 5775  
imposed upon the indigent offender. 5776

(2) (a) The juvenile court in which a child is found to be 5777  
a delinquent child or a juvenile traffic offender for an act 5778  
that, if committed by an adult, would be an offense, shall 5779  
impose one of the following sums as costs in the case in 5780  
addition to any other court costs that the court is required or 5781  
permitted by law to impose upon the delinquent child or juvenile 5782  
traffic offender: 5783

(i) Thirty dollars if the offense is a felony; 5784

(ii) Twenty dollars if the offense is a misdemeanor other 5785  
than a traffic offense that is not a moving violation; 5786

(iii) Ten dollars if the offense is a traffic offense that 5787  
is not a moving violation, excluding parking violations. 5788

(b) All moneys collected pursuant to division (A) (2) (a) of 5789  
this section during a month shall be transmitted on or before 5790  
the twentieth day of the following month by the clerk of the 5791  
court to the treasurer of state and deposited by the treasurer 5792  
of state to the credit of the indigent defense support fund 5793  
established under section 120.08 of the Revised Code. The 5794  
thirty-, twenty-, or ten-dollar court costs shall be collected 5795  
in all cases unless the court determines the juvenile is 5796  
indigent and waives the payment of all court costs, or enters an 5797  
order on its journal stating that it has determined that the 5798  
juvenile is indigent, that no other court costs are to be taxed 5799  
in the case, and that the payment of the thirty-, twenty-, or 5800

ten-dollar court costs is waived. 5801

(B) Whenever a person is charged with any offense 5802  
described in division (A) (1) of this section, the court shall 5803  
add to the amount of the ~~bail~~ monetary bond the thirty, twenty, 5804  
or ten dollars required to be paid by division (A) (1) of this 5805  
section. The thirty, twenty, or ten dollars shall be retained by 5806  
the clerk of the court until the person is convicted, pleads 5807  
guilty, forfeits bail, is found not guilty, or has the charges 5808  
dismissed. If the person is convicted, pleads guilty, or 5809  
forfeits bail, the clerk shall transmit the thirty, twenty, or 5810  
ten dollars on or before the twentieth day of the month 5811  
following the month in which the person was convicted, pleaded 5812  
guilty, or forfeited bail to the treasurer of state, who shall 5813  
deposit it to the credit of the indigent defense support fund 5814  
established under section 120.08 of the Revised Code. If the 5815  
person is found not guilty or the charges are dismissed, the 5816  
clerk shall return the thirty, twenty, or ten dollars to the 5817  
person. 5818

(C) No person shall be placed or held in a detention 5819  
facility for failing to pay the additional thirty-, twenty-, or 5820  
ten-dollar court costs or ~~bail~~ a monetary bond that are required 5821  
to be paid by this section. 5822

(D) As used in this section: 5823

(1) "Moving violation" and "bail" have the same meanings 5824  
as in section 2743.70 of the Revised Code. 5825

(2) "Detention facility" has the same meaning as in 5826  
section 2921.01 of the Revised Code. 5827

(3) "Case" has the same meaning as in section 2947.23 of 5828  
the Revised Code. 5829

(4) "Forfeits bail" and "monetary bond" have the same 5830  
meanings as in section 2937.01 of the Revised Code. 5831

**Sec. 2949.093.** (A) A board of county commissioners of any 5832  
county containing fifty-five or more law enforcement agencies by 5833  
resolution may elect to participate in a criminal justice 5834  
regional information system, either by creating and maintaining 5835  
a new criminal justice regional information system or by 5836  
participating in an existing criminal justice regional 5837  
information system. 5838

(B) A county is not eligible to participate in any 5839  
criminal justice regional information system unless it creates 5840  
in its county treasury, pursuant to section 305.28 of the 5841  
Revised Code, a criminal justice regional information fund. 5842

(C) A county that elects to participate in a criminal 5843  
justice regional information system shall obtain revenues to 5844  
fund its participation by establishing an additional court cost 5845  
not exceeding five dollars to be imposed for moving violations 5846  
that occur in that county. The board of county commissioners of 5847  
that county shall establish the amount of the additional court 5848  
cost by resolution. The board shall give written notice to all 5849  
courts located in that county that adjudicate or otherwise 5850  
process moving violations that occur in that county of the 5851  
county's election to participate in the system and of the amount 5852  
of the additional court cost. Upon receipt of such notice, each 5853  
recipient court shall impose that amount as an additional court 5854  
cost for all moving violations the court adjudicates or 5855  
otherwise processes, in accordance with divisions (D) and (E) of 5856  
this section. 5857

(D) (1) The court in which any person is convicted of or 5858  
pleads guilty to any moving violation that occurs in a county 5859

that has elected to participate in a criminal justice regional 5860  
information system shall impose the sum established by the board 5861  
pursuant to division (C) of this section as costs in the case in 5862  
addition to any other court costs that the court is required by 5863  
law to impose upon the offender. The court shall not waive the 5864  
payment of the additional court cost established by the board 5865  
pursuant to division (C) of this section unless the court 5866  
determines that the offender is indigent and waives the payment 5867  
of all court costs imposed upon the indigent offender. 5868

All such money collected during a month shall be 5869  
transmitted on the first business day of the following month by 5870  
the clerk of the court to the county treasurer of the county in 5871  
which the court is located and thereafter the county treasurer 5872  
shall deposit the money in that county's criminal justice 5873  
regional information fund. 5874

(2) The juvenile court in which a child is found to be a 5875  
juvenile traffic offender for an act that is a moving violation 5876  
occurring in a county participating in a criminal justice 5877  
regional information system shall impose the sum established by 5878  
the board pursuant to division (C) of this section as costs in 5879  
the case in addition to any other court costs that the court is 5880  
required by law to impose upon the juvenile traffic offender. 5881  
The juvenile court shall not waive the payment of the additional 5882  
court cost established by the board pursuant to division (C) of 5883  
this section unless the court determines that the juvenile is 5884  
indigent and waives the payment of all court costs imposed upon 5885  
the indigent offender. 5886

All such money collected during a month shall be 5887  
transmitted on the first business day of the following month by 5888  
the clerk of the court to the county treasurer of the county in 5889



which the juvenile court is located and thereafter the county 5890  
treasurer shall deposit the money in that county's criminal 5891  
justice regional information fund. 5892

(E) Whenever a person is charged with any offense that is 5893  
a moving violation and posts ~~bail~~ monetary bond, the court 5894  
shall add to the amount of the ~~bail~~ monetary bond the set sum 5895  
required to be paid by division (D) (1) of this section. The 5896  
clerk of the court shall retain that set sum until the person is 5897  
convicted, pleads guilty, forfeits bail, is found not guilty, or 5898  
has the charges dismissed. If the person is convicted, pleads 5899  
guilty, or forfeits bail, the clerk shall transmit the set sum 5900  
to the county treasurer, who shall deposit it in the county 5901  
criminal justice regional information fund. If the person is 5902  
found not guilty or the charges are dismissed, the clerk shall 5903  
return the set sum to the person. 5904

(F) No person shall be placed or held in a detention 5905  
facility as defined in section 2921.01 of the Revised Code for 5906  
failing to pay the court cost or bail that is required to be 5907  
paid by this section. 5908

(G) (1) Except as provided in division (G) (2) of this 5909  
section, all funds collected by a county under this section 5910  
shall be used by that county only to pay the costs it incurs in 5911  
creating and maintaining a new criminal justice regional 5912  
information system or to pay the costs it incurs in 5913  
participating in an existing criminal justice regional 5914  
information system. 5915

(2) If the board of county commissioners of a county 5916  
determines that the funds in that county's criminal justice 5917  
regional information fund are more than sufficient to satisfy 5918  
the purpose for which the additional court cost described in 5919

division (C) of this section was imposed, the board may declare 5920  
a surplus in the fund. The county may expend the surplus only to 5921  
pay the costs it incurs in improving the law enforcement 5922  
computer technology of local law enforcement agencies located in 5923  
that county. 5924

(H) As used in this section: 5925

(1) "Moving violation" means any violation of any statute 5926  
or ordinance, other than section 4513.263 of the Revised Code or 5927  
an ordinance that is substantially equivalent to that section, 5928  
that regulates the operation of vehicles, streetcars, or 5929  
trackless trolleys on highways or streets or that regulates size 5930  
or load limitations or fitness requirements of vehicles. "Moving 5931  
violation" does not include the violation of any statute or 5932  
ordinance that regulates pedestrians or the parking of vehicles. 5933

(2) ~~"Bail" means cash, a check, a money order, a credit-~~ 5934  
~~card, or any other form of money that is posted by or for an-~~ 5935  
~~offender pursuant to sections 2937.22 to 2937.46 of the Revised-~~ 5936  
~~Code, Criminal Rule 46, or Traffic Rule 4 to prevent the-~~ 5937  
~~offender from being placed or held in a detention facility, as-~~ 5938  
~~defined in section 2921.01 of the Revised Code~~ "Forfeits bail" 5939  
and "monetary bond" have the same meanings as in section 2937.01 5940  
of the Revised Code. 5941

(3) "Criminal justice regional information system" means a 5942  
governmental computer system that serves as a cooperative 5943  
between political subdivisions in a particular region for the 5944  
purpose of providing a consolidated computerized information 5945  
system for criminal justice agencies in that region. 5946

**Sec. 2949.094.** (A) The court in which any person is 5947  
convicted of or pleads guilty to any moving violation shall 5948

impose an additional court cost of ten dollars upon the 5949  
offender. The court shall not waive the payment of the ten 5950  
dollars unless the court determines that the offender is 5951  
indigent and waives the payment of all court costs imposed upon 5952  
the indigent offender. 5953

The clerk of the court shall transmit thirty-five per cent 5954  
of all additional court costs collected pursuant to this 5955  
division during a month on or before the twenty-third day of the 5956  
following month to the state treasury of which ninety-seven per 5957  
cent shall be credited to the drug law enforcement fund created 5958  
under section 5502.68 of the Revised Code and the remaining 5959  
three per cent shall be credited to the justice program services 5960  
fund created under section 5502.67 of the Revised Code. The 5961  
clerk shall transmit fifteen per cent of all additional court 5962  
costs so collected during a month on or before the twenty-third 5963  
day of the following month to the county or municipal indigent 5964  
drivers alcohol treatment fund under the control of that court, 5965  
as created by the county or municipal corporation under division 5966  
(H) of section 4511.191 of the Revised Code. The clerk shall 5967  
transmit fifty per cent of all additional court costs so 5968  
collected during a month on or before the twenty-third day of 5969  
the following month to the state treasury to be credited to the 5970  
indigent defense support fund created pursuant to section 120.08 5971  
of the Revised Code. 5972

(B) The juvenile court in which a child is found to be a 5973  
juvenile traffic offender for an act that is a moving violation 5974  
shall impose an additional court cost of ten dollars upon the 5975  
juvenile traffic offender. The juvenile court shall not waive 5976  
the payment of the ten dollars unless the court determines that 5977  
the juvenile is indigent and waives the payment of all court 5978  
costs imposed upon the indigent offender. 5979

The clerk of the court shall transmit thirty-five per cent 5980  
of all additional court costs collected pursuant to this 5981  
division during a month on or before the twenty-third day of the 5982  
following month to the state treasury of which ninety-seven per 5983  
cent shall be credited to the drug law enforcement fund created 5984  
under section 5502.68 of the Revised Code and the remaining 5985  
three per cent shall be credited to the justice program services 5986  
fund created under section 5502.67 of the Revised Code. The 5987  
clerk shall transmit fifteen per cent of all additional court 5988  
costs so collected during a month on or before the twenty-third 5989  
day of the following month to the county juvenile indigent 5990  
drivers alcohol treatment fund under the control of that court, 5991  
as created by the county under division (H) of section 4511.191 5992  
of the Revised Code. The clerk shall transmit fifty per cent of 5993  
all additional court costs so collected during a month on or 5994  
before the twenty-third day of the following month to the state 5995  
treasury to be credited to the indigent defense support fund 5996  
created pursuant to section 120.08 of the Revised Code. 5997

(C) Whenever a person is charged with any offense that is 5998  
a moving violation and posts ~~bail~~ monetary bond, the court 5999  
shall add to the amount of the ~~bail~~ monetary bond the ten 6000  
dollars required to be paid by division (A) of this section. The 6001  
clerk of the court shall retain the ten dollars until the person 6002  
is convicted, pleads guilty, forfeits bail, is found not guilty, 6003  
or has the charges dismissed. If the person is convicted, pleads 6004  
guilty, or forfeits bail, the clerk shall transmit three dollars 6005  
and fifty cents out of the ten dollars to the state treasury of 6006  
which ninety-seven per cent shall be credited to the drug law 6007  
enforcement fund created under section 5502.68 of the Revised 6008  
Code and the remaining three per cent shall be credited to the 6009  
justice program services fund created under section 5502.67 of 6010

the Revised Code, the clerk shall transmit one dollar and fifty 6011  
cents out of the ten dollars to the county, municipal, or county 6012  
juvenile indigent drivers alcohol treatment fund under the 6013  
control of that court, as created by the county or municipal 6014  
corporation under division (H) of section 4511.191 of the 6015  
Revised Code, and the clerk shall transmit five dollars out of 6016  
the ten dollars to the state treasury to be credited to the 6017  
indigent defense support fund created under section 120.08 of 6018  
the Revised Code. If the person is found not guilty or the 6019  
charges are dismissed, the clerk shall return the ten dollars to 6020  
the person. 6021

(D) No person shall be placed or held in a detention 6022  
facility for failing to pay the court cost or ~~bail~~ a monetary 6023  
bond that is required to be paid by this section. 6024

(E) As used in this section: 6025

(1) ~~"Bail" and "moving"~~ "Moving violation" ~~have~~ has the 6026  
same ~~meanings~~ meaning as in section 2949.093 of the Revised 6027  
Code. 6028

(2) "Detention facility" has the same meaning as in 6029  
section 2921.01 of the Revised Code. 6030

(3) "Division of criminal justice services" means the 6031  
division of criminal justice services of the department of 6032  
public safety, created by section 5502.62 of the Revised Code. 6033

(4) "Forfeits bail" and "monetary bond" have the same 6034  
meanings as in section 2937.01 of the Revised Code. 6035

**Sec. 2949.111.** (A) As used in this section: 6036

(1) "Court costs" means any assessment that the court 6037  
requires an offender to pay to defray the costs of operating the 6038

court. 6039

(2) "State fines or costs" means any costs imposed or 6040  
forfeited bail collected by the court under section 2743.70 of 6041  
the Revised Code for deposit into the reparations fund or under 6042  
section 2949.091 of the Revised Code for deposit into the 6043  
indigent defense support fund established under section 120.08 6044  
of the Revised Code and all fines, penalties, and forfeited bail 6045  
collected by the court and paid to a law library association 6046  
under section 307.515 of the Revised Code. 6047

(3) "Reimbursement" means any reimbursement for the costs 6048  
of confinement that the court orders an offender to pay pursuant 6049  
to section 2929.28 of the Revised Code, any supervision fee, any 6050  
fee for the costs of house arrest with electronic monitoring 6051  
that an offender agrees to pay, any reimbursement for the costs 6052  
of an investigation or prosecution that the court orders an 6053  
offender to pay pursuant to section 2929.71 of the Revised Code, 6054  
or any other costs that the court orders an offender to pay. 6055

(4) "Supervision fees" means any fees that a court, 6056  
pursuant to sections 2929.18, 2929.28, and 2951.021 of the 6057  
Revised Code, requires an offender who is under a community 6058  
control sanction to pay for supervision services. 6059

(5) "Community control sanction" has the same meaning as 6060  
in section 2929.01 of the Revised Code. 6061

(6) "Forfeited bail" has the same meaning as in section 6062  
2937.01 of the Revised Code. 6063

(B) Unless the court, in accordance with division (C) of 6064  
this section, enters in the record of the case a different 6065  
method of assigning payments, if a person who is charged with a 6066  
misdemeanor is convicted of or pleads guilty to the offense, if 6067

the court orders the offender to pay any combination of court 6068  
costs, state fines or costs, restitution, a conventional fine, 6069  
or any reimbursement, and if the offender makes any payment of 6070  
any of them to a clerk of court, the clerk shall assign the 6071  
offender's payment in the following manner: 6072

(1) If the court ordered the offender to pay any court 6073  
costs, the offender's payment shall be assigned toward the 6074  
satisfaction of those court costs until they have been entirely 6075  
paid. 6076

(2) If the court ordered the offender to pay any state 6077  
fines or costs and if all of the court costs that the court 6078  
ordered the offender to pay have been paid, the remainder of the 6079  
offender's payment shall be assigned on a pro rata basis toward 6080  
the satisfaction of the state fines or costs until they have 6081  
been entirely paid. 6082

(3) If the court ordered the offender to pay any 6083  
restitution and if all of the court costs and state fines or 6084  
costs that the court ordered the offender to pay have been paid, 6085  
the remainder of the offender's payment shall be assigned toward 6086  
the satisfaction of the restitution until it has been entirely 6087  
paid. 6088

(4) If the court ordered the offender to pay any fine and 6089  
if all of the court costs, state fines or costs, and restitution 6090  
that the court ordered the offender to pay have been paid, the 6091  
remainder of the offender's payment shall be assigned toward the 6092  
satisfaction of the fine until it has been entirely paid. 6093

(5) If the court ordered the offender to pay any 6094  
reimbursement and if all of the court costs, state fines or 6095  
costs, restitution, and fines that the court ordered the 6096

offender to pay have been paid, the remainder of the offender's 6097  
payment shall be assigned toward the satisfaction of the 6098  
reimbursements until they have been entirely paid. 6099

(C) If a person who is charged with a misdemeanor is 6100  
convicted of or pleads guilty to the offense and if the court 6101  
orders the offender to pay any combination of court costs, state 6102  
fines or costs, restitution, fines, or reimbursements, the 6103  
court, at the time it orders the offender to make those 6104  
payments, may prescribe an order of payments that differs from 6105  
the order set forth in division (B) of this section by entering 6106  
in the record of the case the order so prescribed. If a 6107  
different order is entered in the record, on receipt of any 6108  
payment, the clerk of the court shall assign the payment in the 6109  
manner prescribed by the court. 6110

**Sec. 2953.31.** As used in sections 2953.31 to 2953.36 of 6111  
the Revised Code: 6112

(A) (1) "Eligible offender" means either of the following: 6113

(a) Anyone who has been convicted of one or more offenses 6114  
in this state or any other jurisdiction, if all of the offenses 6115  
in this state are felonies of the fourth or fifth degree or 6116  
misdemeanors and none of those offenses are an offense of 6117  
violence or a felony sex offense and all of the offenses in 6118  
another jurisdiction, if committed in this state, would be 6119  
felonies of the fourth or fifth degree or misdemeanors and none 6120  
of those offenses would be an offense of violence or a felony 6121  
sex offense; 6122

(b) Anyone who has been convicted of an offense in this 6123  
state or any other jurisdiction, to whom division (A) (1) (a) of 6124  
this section does not apply, and who has not more than two 6125



felony convictions, has not more than four misdemeanor 6126  
convictions, or, if the person has exactly two felony 6127  
convictions, has not more than those two felony convictions and 6128  
two misdemeanor convictions in this state or any other 6129  
jurisdiction. The conviction that is requested to be sealed 6130  
shall be a conviction that is eligible for sealing as provided 6131  
in section 2953.36 of the Revised Code. When two or more 6132  
convictions result from or are connected with the same act or 6133  
result from offenses committed at the same time, they shall be 6134  
counted as one conviction. When two or three convictions result 6135  
from the same indictment, information, or complaint, from the 6136  
same plea of guilty, or from the same official proceeding, and 6137  
result from related criminal acts that were committed within a 6138  
three-month period but do not result from the same act or from 6139  
offenses committed at the same time, they shall be counted as 6140  
one conviction, provided that a court may decide as provided in 6141  
division (C)(1)(a) of section 2953.32 of the Revised Code that 6142  
it is not in the public interest for the two or three 6143  
convictions to be counted as one conviction. 6144

(2) For purposes of, and except as otherwise provided in, 6145  
division (A)(1)(b) of this section, a conviction for a minor 6146  
misdemeanor, for a violation of any section in Chapter 4507., 6147  
4510., 4511., 4513., or 4549. of the Revised Code, or for a 6148  
violation of a municipal ordinance that is substantially similar 6149  
to any section in those chapters is not a conviction. However, a 6150  
conviction for a violation of section 4511.19, 4511.251, 6151  
4549.02, 4549.021, 4549.03, 4549.042, or 4549.62 or sections 6152  
4549.41 to 4549.46 of the Revised Code, for a violation of 6153  
section 4510.11 or 4510.14 of the Revised Code that is based 6154  
upon the offender's operation of a vehicle during a suspension 6155  
imposed under section 4511.191 or 4511.196 of the Revised Code, 6156

for a violation of a substantially equivalent municipal ordinance, for a felony violation of Title XLV of the Revised Code, or for a violation of a substantially equivalent former law of this state or former municipal ordinance shall be considered a conviction.

(B) "Prosecutor" means the county prosecuting attorney, city director of law, village solicitor, or similar chief legal officer, who has the authority to prosecute a criminal case in the court in which the case is filed.

(C) "Bail forfeiture" means the forfeiture of ~~bail bond~~ posted as a condition of release by a defendant who is arrested for the commission of a misdemeanor, other than a defendant in a traffic case as defined in Traffic Rule 2, if the forfeiture is pursuant to an agreement with the court and prosecutor in the case.

(D) "Official records" has the same meaning as in division (D) of section 2953.51 of the Revised Code.

(E) "Official proceeding" has the same meaning as in section 2921.01 of the Revised Code.

(F) "Community control sanction" has the same meaning as in section 2929.01 of the Revised Code.

(G) "Post-release control" and "post-release control sanction" have the same meanings as in section 2967.01 of the Revised Code.

(H) "DNA database," "DNA record," and "law enforcement agency" have the same meanings as in section 109.573 of the Revised Code.

(I) "Fingerprints filed for record" means any fingerprints

obtained by the superintendent of the bureau of criminal 6185  
identification and investigation pursuant to sections 109.57 and 6186  
109.571 of the Revised Code. 6187

**Sec. 2963.13.** (A) If from the examination before the judge 6188  
or magistrate it appears that the person held under section 6189  
2963.11 or 2963.12 of the Revised Code is the person charged 6190  
with having committed the crime alleged and that ~~he~~ the person 6191  
has fled from justice, the judge or magistrate must, by a 6192  
warrant reciting the accusation, commit ~~him~~ the person to the 6193  
county jail for such a time, not to exceed thirty days and 6194  
specified in the warrant, as will enable the arrest of the 6195  
accused to be made under a warrant of the governor on a 6196  
requisition of the executive authority of the state having 6197  
jurisdiction of the offense, unless the accused furnishes ~~bail~~ a 6198  
monetary bond or until ~~he~~ the accused is legally discharged. 6199

(B) As used in this section, "monetary bond" has the same 6200  
meaning as in section 2937.01 of the Revised Code. 6201

**Sec. 3319.292.** As used in this section, ~~"license":~~ 6202

(1) "Bail forfeiture" has the same meaning as in section 6203  
2937.01 of the Revised Code. 6204

(2) "License" has the same meaning as in section 3319.31 6205  
of the Revised Code. 6206

(B) The state board of education and the department of 6207  
education may question an applicant for issuance or renewal of 6208  
any license with respect to any criminal offense committed or 6209  
alleged to have been committed by the applicant. If the record 6210  
of a conviction, plea of guilty, bail forfeiture, or other 6211  
disposition of a criminal offense committed or alleged to have 6212  
been committed by the applicant has been sealed or expunged, the 6213

state board and the department need not assert or demonstrate 6214  
that its questioning with respect to the offense bears a direct 6215  
and substantial relationship to the issuance or renewal of the 6216  
license or to the position in which the applicant will work 6217  
under the license. 6218

Any questions regarding a record of a conviction, plea of 6219  
guilty, bail forfeiture, or other disposition of a criminal 6220  
offense committed or alleged to have been committed by the 6221  
applicant that has been sealed or expunged and the responses of 6222  
the applicant to such questions shall not be a public record 6223  
under section 149.43 of the Revised Code. 6224

**Sec. 3719.21.** (A) Except as provided in division (C) of 6225  
section 2923.42, division (B) of section 2923.44, divisions (D) 6226  
(1), (F), and (H) of section 2925.03, division (D)(1) of section 6227  
2925.02, 2925.04, or 2925.05, division (E)(1) of section 6228  
2925.11, division (E) of section 2925.13, division (F) of 6229  
section 2925.36, division (D) of section 2925.22, division (H) 6230  
of section 2925.23, division (M) of section 2925.37, division 6231  
(B) of section 2925.42, division (B) of section 2929.18, 6232  
division (D) of section 3719.99, division (B)(1) of section 6233  
4729.65, division (E)(3) of section 4729.99, and division (I)(3) 6234  
of section 4729.99 of the Revised Code, the clerk of the court 6235  
shall pay all fines or forfeited bail assessed and collected 6236  
under prosecutions or prosecutions commenced for violations of 6237  
this chapter, section 2923.42 of the Revised Code, or Chapter 6238  
2925. of the Revised Code, within thirty days, to the executive 6239  
director of the state board of pharmacy, and the executive 6240  
director shall deposit the fines into the state treasury to the 6241  
credit of the occupational licensing and regulatory fund. 6242

(B) As used in this section, "forfeited bail" has the same 6243

meaning as in section 2937.01 of the Revised Code. 6244

**Sec. 3772.01.** As used in this chapter: 6245

(A) "Applicant" means any person who applies to the 6246  
commission for a license under this chapter. 6247

(B) "Bail forfeiture" and "forfeited bail" have the same 6248  
meanings as in section 2937.01 of the Revised Code. 6249

(C) "Casino control commission fund" means the casino 6250  
control commission fund described in Section 6(C) (3) (d) of 6251  
Article XV, Ohio Constitution, the money in which shall be used 6252  
to fund the commission and its related affairs. 6253

~~(C)~~(D) "Casino facility" means a casino facility as 6254  
defined in Section 6(C) (9) of Article XV, Ohio Constitution. 6255

~~(D)~~(E) "Casino game" means any slot machine or table game 6256  
as defined in this chapter. 6257

~~(E)~~(F) "Casino gaming" means any type of slot machine or 6258  
table game wagering, using money, casino credit, or any 6259  
representative of value, authorized in any of the states of 6260  
Indiana, Michigan, Pennsylvania, and West Virginia as of January 6261  
1, 2009, and includes slot machine and table game wagering 6262  
subsequently authorized by, but shall not be limited by, 6263  
subsequent restrictions placed on such wagering in such states. 6264  
"Casino gaming" does not include bingo, as authorized in Section 6265  
6 of Article XV, Ohio Constitution and conducted as of January 6266  
1, 2009, or horse racing where the pari-mutuel system of 6267  
wagering is conducted, as authorized under the laws of this 6268  
state as of January 1, 2009. 6269

~~(F)~~(G) "Casino gaming employee" means any employee of a 6270  
casino operator or management company, but not a key employee, 6271

and as further defined in section 3772.131 of the Revised Code. 6272

~~(G)~~ (H) "Casino operator" means any person, trust, 6273  
corporation, partnership, limited partnership, association, 6274  
limited liability company, or other business enterprise that 6275  
directly or indirectly holds an ownership or leasehold interest 6276  
in a casino facility. "Casino operator" does not include an 6277  
agency of the state, any political subdivision of the state, any 6278  
person, trust, corporation, partnership, limited partnership, 6279  
association, limited liability company, or other business 6280  
enterprise that may have an interest in a casino facility, but 6281  
who is legally or contractually restricted from conducting 6282  
casino gaming. 6283

~~(H)~~ (I) "Central system" means a computer system that 6284  
provides the following functions related to casino gaming 6285  
equipment used in connection with casino gaming authorized under 6286  
this chapter: security, auditing, data and information 6287  
retrieval, and other purposes deemed necessary and authorized by 6288  
the commission. 6289

~~(I)~~ (J) "Cheat" means to alter the result of a casino 6290  
game, the element of chance, the operation of a machine used in 6291  
a casino game, or the method of selection of criteria that 6292  
determines (a) the result of the casino game, (b) the amount or 6293  
frequency of payment in a casino game, (c) the value of a 6294  
wagering instrument, or (d) the value of a wagering credit. 6295  
"Cheat" does not include an individual who, without the 6296  
assistance of another individual or without the use of a 6297  
physical aid or device of any kind, uses the individual's own 6298  
ability to keep track of the value of cards played and uses 6299  
predictions formed as a result of the tracking information in 6300  
the individual's playing and betting strategy. 6301

~~(J)~~ (K) "Commission" means the Ohio casino control  
commission. 6302  
6303

~~(K)~~ (L) "Gaming agent" means a peace officer employed by 6304  
the commission that is vested with duties to enforce this 6305  
chapter and conduct other investigations into the conduct of the 6306  
casino gaming and the maintenance of the equipment that the 6307  
commission considers necessary and proper and is in compliance 6308  
with section 109.77 of the Revised Code. 6309

~~(L)~~ (M) "Gaming-related vendor" means any individual, 6310  
partnership, corporation, association, trust, or any other group 6311  
of individuals, however organized, who supplies gaming-related 6312  
equipment, goods, or services to a casino operator or management 6313  
company, that are directly related to or affect casino gaming 6314  
authorized under this chapter, including, but not limited to, 6315  
the manufacture, sale, distribution, or repair of slot machines 6316  
and table game equipment. 6317

~~(M)~~ (N) "Holding company" means any corporation, firm, 6318  
partnership, limited partnership, limited liability company, 6319  
trust, or other form of business organization not a natural 6320  
person which directly or indirectly does any of the following: 6321

(1) Has the power or right to control a casino operator, 6322  
management company, or gaming-related vendor license applicant 6323  
or licensee; 6324

(2) Holds an ownership interest of five per cent or more, 6325  
as determined by the commission, in a casino operator, 6326  
management company, or gaming-related vendor license applicant 6327  
or licensee; 6328

(3) Holds voting rights with the power to vote five per 6329  
cent or more of the outstanding voting rights of a casino 6330

operator, management company, or gaming-related vendor applicant 6331  
or licensee. 6332

~~(N)~~ (O) "Initial investment" includes costs related to 6333  
demolition, engineering, architecture, design, site preparation, 6334  
construction, infrastructure improvements, land acquisition, 6335  
fixtures and equipment, insurance related to construction, and 6336  
leasehold improvements. 6337

~~(O)~~ (P) "Institutional investor" means any of the 6338  
following entities owning five per cent or more, but less than 6339  
fifteen per cent, of an ownership interest in a casino facility, 6340  
casino operator, management company, or holding company: a 6341  
corporation, bank, insurance company, pension fund or pension 6342  
fund trust, retirement fund, including funds administered by a 6343  
public agency, employees' profit-sharing fund or employees' 6344  
profit-sharing trust, any association engaged, as a substantial 6345  
part of its business or operations, in purchasing or holding 6346  
securities, including a hedge fund, mutual fund, or private 6347  
equity fund, or any trust in respect of which a bank is trustee 6348  
or cotrustee, investment company registered under the 6349  
"Investment Company Act of 1940," 15 U.S.C. 80a-1 et seq., 6350  
collective investment trust organized by banks under Part Nine 6351  
of the Rules of the Comptroller of the Currency, closed-end 6352  
investment trust, chartered or licensed life insurance company 6353  
or property and casualty insurance company, investment advisor 6354  
registered under the "Investment Advisors Act of 1940," 15 6355  
U.S.C. 80 b-1 et seq., and such other persons as the commission 6356  
may reasonably determine to qualify as an institutional investor 6357  
for reasons consistent with this chapter, and that does not 6358  
exercise control over the affairs of a licensee and its 6359  
ownership interest in a licensee is for investment purposes 6360  
only, as set forth in division (E) of section 3772.10 of the 6361



Revised Code. 6362

~~(P)~~(Q) "Key employee" means any executive, employee, 6363  
agent, or other individual who has the power to exercise 6364  
significant influence over decisions concerning any part of the 6365  
operation of a person that has applied for or holds a casino 6366  
operator, management company, or gaming-related vendor license 6367  
or the operation of a holding company of a person that has 6368  
applied for or holds a casino operator, management company, or 6369  
gaming-related vendor license, including: 6370

(1) An officer, director, trustee, partner, or an 6371  
equivalent fiduciary; 6372

(2) An individual who holds a direct or indirect ownership 6373  
interest of five per cent or more; 6374

(3) An individual who performs the function of a principal 6375  
executive officer, principal operating officer, principal 6376  
accounting officer, or an equivalent officer; 6377

(4) Any other individual the commission determines to have 6378  
the power to exercise significant influence over decisions 6379  
concerning any part of the operation. 6380

~~(Q)~~(R) "Licensed casino operator" means a casino operator 6381  
that has been issued a license by the commission and that has 6382  
been certified annually by the commission to have paid all 6383  
applicable fees, taxes, and debts to the state. 6384

~~(R)~~(S) "Majority ownership interest" in a license or in a 6385  
casino facility, as the case may be, means ownership of more 6386  
than fifty per cent of such license or casino facility, as the 6387  
case may be. For purposes of the foregoing, whether a majority 6388  
ownership interest is held in a license or in a casino facility, 6389  
as the case may be, shall be determined under the rules for 6390

constructive ownership of stock provided in Treas. Reg. 1.409A- 6391  
3(i)(5)(iii) as in effect on January 1, 2009. 6392

~~(S)~~(T) "Management company" means an organization 6393  
retained by a casino operator to manage a casino facility and 6394  
provide services such as accounting, general administration, 6395  
maintenance, recruitment, and other operational services. 6396

~~(T)~~(U) "Ohio law enforcement training fund" means the 6397  
state law enforcement training fund described in Section 6(C)(3) 6398  
(f) of Article XV, Ohio Constitution, the money in which shall 6399  
be used to enhance public safety by providing additional 6400  
training opportunities to the law enforcement community. 6401

~~(U)~~(V) "Person" includes, but is not limited to, an 6402  
individual or a combination of individuals; a sole 6403  
proprietorship, a firm, a company, a joint venture, a 6404  
partnership of any type, a joint-stock company, a corporation of 6405  
any type, a corporate subsidiary of any type, a limited 6406  
liability company, a business trust, or any other business 6407  
entity or organization; an assignee; a receiver; a trustee in 6408  
bankruptcy; an unincorporated association, club, society, or 6409  
other unincorporated entity or organization; entities that are 6410  
disregarded for federal income tax purposes; and any other 6411  
nongovernmental, artificial, legal entity that is capable of 6412  
engaging in business. 6413

~~(V)~~(W) "Problem casino gambling and addictions fund" 6414  
means the state problem gambling and addictions fund described 6415  
in Section 6(C)(3)(g) of Article XV, Ohio Constitution, the 6416  
money in which shall be used for treatment of problem gambling 6417  
and substance abuse, and for related research. 6418

~~(W)~~(X) "Promotional gaming credit" means a slot machine 6419

or table game credit, discount, or other similar item issued to 6420  
a patron to enable the placement of, or increase in, a wager at 6421  
a slot machine or table game. 6422

~~(X)~~ (Y) "Slot machine" means any mechanical, electrical, 6423  
or other device or machine which, upon insertion of a coin, 6424  
token, ticket, or similar object, or upon payment of any 6425  
consideration, is available to play or operate, the play or 6426  
operation of which, whether by reason of the skill of the 6427  
operator or application of the element of chance, or both, makes 6428  
individual prize determinations for individual participants in 6429  
cash, premiums, merchandise, tokens, or any thing of value, 6430  
whether the payoff is made automatically from the machine or in 6431  
any other manner, but does not include any device that is a 6432  
skill-based amusement machine, as defined in section 2915.01 of 6433  
the Revised Code. 6434

~~(Y)~~ (Z) "Table game" means any game played with cards, 6435  
dice, or any mechanical, electromechanical, or electronic device 6436  
or machine for money, casino credit, or any representative of 6437  
value. "Table game" does not include slot machines. 6438

~~(Z)~~ (AA) "Upfront license" means the first plenary license 6439  
issued to a casino operator. 6440

~~(AA)~~ (BB) "Voluntary exclusion program" means a program 6441  
provided by the commission that allows persons to voluntarily 6442  
exclude themselves from the gaming areas of facilities under the 6443  
jurisdiction of the commission by placing their name on a 6444  
voluntary exclusion list and following the procedures set forth 6445  
by the commission. 6446

**Sec. 3772.36.** (A) There is hereby created in the state 6447  
treasury the casino control commission enforcement fund. All 6448

moneys that are derived from any fines, mandatory fines, or 6449  
~~forfeited bail~~ bail forfeiture to which the commission may be 6450  
entitled under this chapter and all moneys that are derived from 6451  
forfeitures of property to which the commission may be entitled 6452  
under this chapter or Chapter 2981. of the Revised Code, any 6453  
other provision of the Revised Code, or federal law shall be 6454  
deposited into the fund. Subject to division (B) of this section 6455  
and divisions (B), (C), and (D) of section 2981.13 of the 6456  
Revised Code, the moneys in the fund shall be used solely to 6457  
subsidize the commission's division of enforcement and its 6458  
efforts to ensure the integrity of casino gaming. 6459

(B) Notwithstanding any contrary provision in the Revised 6460  
Code, moneys that are derived from forfeitures of property under 6461  
federal law and that are deposited into the casino control 6462  
commission enforcement fund in accordance with division (A) of 6463  
this section shall be used and accounted for in accordance with 6464  
the applicable federal law, and the commission otherwise shall 6465  
comply with federal law in connection with that money. 6466

**Sec. 4501.11.** (A) There is hereby created in the state 6467  
treasury the security, investigations, and policing fund. 6468  
Notwithstanding section 5503.04 of the Revised Code, no fines 6469  
collected from or money arising from bonds or bail ~~forfeited~~ 6470  
forfeiture by persons apprehended or arrested by state highway 6471  
patrol troopers shall be credited to the general revenue fund 6472  
until sufficient revenue to fund appropriations for the 6473  
activities described under division (B) of this section are 6474  
credited to the security, investigations, and policing fund. All 6475  
investment earnings of the security, investigations, and 6476  
policing fund shall be credited to that fund. 6477

This division does not apply to fines for violations of 6478

division (B) of section 4513.263 of the Revised Code, or to 6479  
fines for violations of any municipal ordinance that is 6480  
substantively comparable to that division, which fines shall be 6481  
delivered to the treasurer of state as provided in division (E) 6482  
of section 4513.263 of the Revised Code. 6483

(B) The money credited to the security, investigations, 6484  
and policing fund shall be used to pay the costs of: 6485

(1) Providing security for the governor, other officials 6486  
and dignitaries, the capitol square, and other state property 6487  
pursuant to division (E) of section 5503.02 of the Revised Code; 6488

(2) Undertaking major criminal investigations that involve 6489  
state property interests; 6490

(3) Providing traffic control and security for the Ohio 6491  
expositions commission on a full-time, year-round basis; 6492

(4) Performing nonhighway-related duties of the state 6493  
highway patrol at the Ohio state fair. 6494

(C) As used in this section, "bail forfeiture" has the 6495  
same meaning as in section 2937.01 of the Revised Code. 6496

**Sec. 4506.01.** As used in this chapter: 6497

(A) "Alcohol concentration" means the concentration of 6498  
alcohol in a person's blood, breath, or urine. When expressed as 6499  
a percentage, it means grams of alcohol per the following: 6500

(1) One hundred milliliters of whole blood, blood serum, 6501  
or blood plasma; 6502

(2) Two hundred ten liters of breath; 6503

(3) One hundred milliliters of urine. 6504

(B) "Bail forfeiture" has the same meaning as in section 6505

2937.01 of the Revised Code. 6506

(C) "Commercial driver's license" means a license issued 6507  
in accordance with this chapter that authorizes an individual to 6508  
drive a commercial motor vehicle. 6509

~~(C)~~(D) "Commercial driver's license information system" 6510  
means the information system established pursuant to the 6511  
requirements of the "Commercial Motor Vehicle Safety Act of 6512  
1986," 100 Stat. 3207-171, 49 U.S.C.A. App. 2701. 6513

~~(D)~~(E) Except when used in section 4506.25 of the Revised 6514  
Code, "commercial motor vehicle" means any motor vehicle 6515  
designed or used to transport persons or property that meets any 6516  
of the following qualifications: 6517

(1) Any combination of vehicles with a gross vehicle 6518  
weight or combined gross vehicle weight rating of twenty-six 6519  
thousand one pounds or more, provided the gross vehicle weight 6520  
or gross vehicle weight rating of the vehicle or vehicles being 6521  
towed is in excess of ten thousand pounds; 6522

(2) Any single vehicle with a gross vehicle weight or 6523  
gross vehicle weight rating of twenty-six thousand one pounds or 6524  
more; 6525

(3) Any single vehicle or combination of vehicles that is 6526  
not a class A or class B vehicle, but is designed to transport 6527  
sixteen or more passengers including the driver; 6528

(4) Any school bus with a gross vehicle weight or gross 6529  
vehicle weight rating of less than twenty-six thousand one 6530  
pounds that is designed to transport fewer than sixteen 6531  
passengers including the driver; 6532

(5) Is transporting hazardous materials for which 6533

placarding is required under subpart F of 49 C.F.R. part 172, as 6534  
amended; 6535

(6) Any single vehicle or combination of vehicles that is 6536  
designed to be operated and to travel on a public street or 6537  
highway and is considered by the federal motor carrier safety 6538  
administration to be a commercial motor vehicle, including, but 6539  
not limited to, a motorized crane, a vehicle whose function is 6540  
to pump cement, a rig for drilling wells, and a portable crane. 6541

~~(E)~~ (F) "Controlled substance" means all of the following: 6542

(1) Any substance classified as a controlled substance 6543  
under the "Controlled Substances Act," 80 Stat. 1242 (1970), 21 6544  
U.S.C.A. 802(6), as amended; 6545

(2) Any substance included in schedules I through V of 21 6546  
C.F.R. part 1308, as amended; 6547

(3) Any drug of abuse. 6548

~~(F)~~ (G) "Conviction" means an unvacated adjudication of 6549  
guilt or a determination that a person has violated or failed to 6550  
comply with the law in a court of original jurisdiction or an 6551  
authorized administrative tribunal, an unvacated bail forfeiture 6552  
~~of bail~~ or collateral deposited to secure the person's 6553  
appearance in court, a plea of guilty or nolo contendere 6554  
accepted by the court, the payment of a fine or court cost, or 6555  
violation of a condition of release without bail, regardless of 6556  
whether or not the penalty is rebated, suspended, or probated. 6557

~~(G)~~ (H) "Disqualification" means any of the following: 6558

(1) The suspension, revocation, or cancellation of a 6559  
person's privileges to operate a commercial motor vehicle; 6560

(2) Any withdrawal of a person's privileges to operate a 6561

commercial motor vehicle as the result of a violation of state 6562  
or local law relating to motor vehicle traffic control other 6563  
than parking, vehicle weight, or vehicle defect violations; 6564

(3) A determination by the federal motor carrier safety 6565  
administration that a person is not qualified to operate a 6566  
commercial motor vehicle under 49 C.F.R. 391. 6567

~~(H)~~ (I) "Domiciled" means having a true, fixed, principal, 6568  
and permanent residence to which an individual intends to 6569  
return. 6570

~~(I)~~ (J) "Downgrade" means any of the following, as 6571  
applicable: 6572

(1) A change in the commercial driver's license, or 6573  
commercial driver's license temporary instruction permit, 6574  
holder's self-certified status as described in division (A) (1) 6575  
of section 4506.10 of the Revised Code; 6576

(2) A change to a lesser class of vehicle; 6577

(3) Removal of commercial driver's license privileges from 6578  
the individual's driver's license. 6579

~~(J)~~ (K) "Drive" means to drive, operate, or be in physical 6580  
control of a motor vehicle. 6581

~~(K)~~ (L) "Driver" means any person who drives, operates, or 6582  
is in physical control of a commercial motor vehicle or is 6583  
required to have a commercial driver's license. 6584

~~(L)~~ (M) "Driver's license" means a license issued by the 6585  
bureau of motor vehicles that authorizes an individual to drive. 6586

~~(M)~~ (N) "Drug of abuse" means any controlled substance, 6587  
dangerous drug as defined in section 4729.01 of the Revised 6588



Code, or over-the-counter medication that, when taken in 6589  
quantities exceeding the recommended dosage, can result in 6590  
impairment of judgment or reflexes. 6591

~~(N)~~ (O) "Electronic device" includes a cellular telephone, 6592  
a personal digital assistant, a pager, a computer, and any other 6593  
device used to input, write, send, receive, or read text. 6594

~~(O)~~ (P) "Eligible unit of local government" means a 6595  
village, township, or county that has a population of not more 6596  
than three thousand persons according to the most recent federal 6597  
census. 6598

~~(P)~~ (Q) "Employer" means any person, including the federal 6599  
government, any state, and a political subdivision of any state, 6600  
that owns or leases a commercial motor vehicle or assigns a 6601  
person to drive such a motor vehicle. 6602

~~(Q)~~ (R) "Endorsement" means an authorization on a person's 6603  
commercial driver's license that is required to permit the 6604  
person to operate a specified type of commercial motor vehicle. 6605

~~(R)~~ (S) "Farm truck" means a truck controlled and operated 6606  
by a farmer for use in the transportation to or from a farm, for 6607  
a distance of not more than one hundred fifty miles, of products 6608  
of the farm, including livestock and its products, poultry and 6609  
its products, floricultural and horticultural products, and in 6610  
the transportation to the farm, from a distance of not more than 6611  
one hundred fifty miles, of supplies for the farm, including 6612  
tile, fence, and every other thing or commodity used in 6613  
agricultural, floricultural, horticultural, livestock, and 6614  
poultry production, and livestock, poultry, and other animals 6615  
and things used for breeding, feeding, or other purposes 6616  
connected with the operation of the farm, when the truck is 6617

operated in accordance with this division and is not used in the 6618  
operations of a motor carrier, as defined in section 4923.01 of 6619  
the Revised Code. 6620

~~(S)~~(T) "Fatality" means the death of a person as the 6621  
result of a motor vehicle accident occurring not more than three 6622  
hundred sixty-five days prior to the date of death. 6623

~~(T)~~(U) "Felony" means any offense under federal or state 6624  
law that is punishable by death or specifically classified as a 6625  
felony under the law of this state, regardless of the penalty 6626  
that may be imposed. 6627

~~(U)~~(V) "Foreign jurisdiction" means any jurisdiction 6628  
other than a state. 6629

~~(V)~~(W) "Gross vehicle weight rating" means the value 6630  
specified by the manufacturer as the maximum loaded weight of a 6631  
single or a combination vehicle. The gross vehicle weight rating 6632  
of a combination vehicle is the gross vehicle weight rating of 6633  
the power unit plus the gross vehicle weight rating of each 6634  
towed unit. 6635

~~(W)~~(X) "Hazardous materials" means any material that has 6636  
been designated as hazardous under 49 U.S.C. 5103 and is 6637  
required to be placarded under subpart F of 49 C.F.R. part 172 6638  
or any quantity of a material listed as a select agent or toxin 6639  
in 42 C.F.R. part 73, as amended. 6640

~~(X)~~(Y) "Imminent hazard" means the existence of a 6641  
condition that presents a substantial likelihood that death, 6642  
serious illness, severe personal injury, or a substantial 6643  
endangerment to health, property, or the environment may occur 6644  
before the reasonably foreseeable completion date of a formal 6645  
proceeding begun to lessen the risk of that death, illness, 6646

injury, or endangerment. 6647

~~(Y)~~ (Z) "Medical variance" means one of the following 6648  
received by a driver from the federal motor carrier safety 6649  
administration that allows the driver to be issued a medical 6650  
certificate: 6651

(1) An exemption letter permitting operation of a 6652  
commercial motor vehicle under 49 C.F.R. 381, subpart C or 49 6653  
C.F.R. 391.64; 6654

(2) A skill performance evaluation certificate permitting 6655  
operation of a commercial motor vehicle pursuant to 49 C.F.R. 6656  
391.49. 6657

~~(Z)~~ (AA) "Mobile telephone" means a mobile communication 6658  
device that falls under or uses any commercial mobile radio 6659  
service as defined in 47 C.F.R. 20, except that mobile telephone 6660  
does not include two-way or citizens band radio services. 6661

~~(AA)~~ (BB) "Motor vehicle" means a vehicle, machine, 6662  
tractor, trailer, or semitrailer propelled or drawn by 6663  
mechanical power used on highways, except that such term does 6664  
not include a vehicle, machine, tractor, trailer, or semitrailer 6665  
operated exclusively on a rail. 6666

~~(BB)~~ (CC) "Out-of-service order" means a declaration by an 6667  
authorized enforcement officer of a federal, state, local, 6668  
Canadian, or Mexican jurisdiction declaring that a driver, 6669  
commercial motor vehicle, or commercial motor carrier operation 6670  
is out of service as defined in 49 C.F.R. 390.5. 6671

~~(CC)~~ (DD) "Peace officer" has the same meaning as in 6672  
section 2935.01 of the Revised Code. 6673

~~(DD)~~ (EE) "Portable tank" means a liquid or gaseous 6674

packaging designed primarily to be loaded onto or temporarily 6675  
attached to a vehicle and equipped with skids, mountings, or 6676  
accessories to facilitate handling of the tank by mechanical 6677  
means. 6678

~~(EE)~~ (FF) "Public safety vehicle" has the same meaning as 6679  
in divisions (E) (1) and (3) of section 4511.01 of the Revised 6680  
Code. 6681

~~(FF)~~ (GG) "Recreational vehicle" includes every vehicle 6682  
that is defined as a recreational vehicle in section 4501.01 of 6683  
the Revised Code and is used exclusively for purposes other than 6684  
engaging in business for profit. 6685

~~(GG)~~ (HH) "Residence" means any person's residence 6686  
determined in accordance with standards prescribed in rules 6687  
adopted by the registrar. 6688

~~(HH)~~ (II) "School bus" has the same meaning as in section 6689  
4511.01 of the Revised Code. 6690

~~(II)~~ (JJ) "Serious traffic violation" means any of the 6691  
following: 6692

(1) A conviction arising from a single charge of operating 6693  
a commercial motor vehicle in violation of any provision of 6694  
section 4506.03 of the Revised Code; 6695

(2) (a) Except as provided in division (II) (2) (b) of this 6696  
section, a violation while operating a commercial motor vehicle 6697  
of a law of this state, or any municipal ordinance or county or 6698  
township resolution, or any other substantially similar law of 6699  
another state or political subdivision of another state 6700  
prohibiting either of the following: 6701

(i) Texting while driving; 6702

- (ii) Using a handheld mobile telephone. 6703
- (b) It is not a serious traffic violation if the person 6704  
was texting or using a handheld mobile telephone to contact law 6705  
enforcement or other emergency services. 6706
- (3) A conviction arising from the operation of any motor 6707  
vehicle that involves any of the following: 6708
- (a) A single charge of any speed in excess of the posted 6709  
speed limit by fifteen miles per hour or more; 6710
- (b) Violation of section 4511.20 or 4511.201 of the 6711  
Revised Code or any similar ordinance or resolution, or of any 6712  
similar law of another state or political subdivision of another 6713  
state; 6714
- (c) Violation of a law of this state or an ordinance or 6715  
resolution relating to traffic control, other than a parking 6716  
violation, or of any similar law of another state or political 6717  
subdivision of another state, that results in a fatal accident; 6718
- (d) Violation of section 4506.03 of the Revised Code or a 6719  
substantially similar municipal ordinance or county or township 6720  
resolution, or of any similar law of another state or political 6721  
subdivision of another state, that involves the operation of a 6722  
commercial motor vehicle without a valid commercial driver's 6723  
license with the proper class or endorsement for the specific 6724  
vehicle group being operated or for the passengers or type of 6725  
cargo being transported; 6726
- (e) Violation of section 4506.03 of the Revised Code or a 6727  
substantially similar municipal ordinance or county or township 6728  
resolution, or of any similar law of another state or political 6729  
subdivision of another state, that involves the operation of a 6730  
commercial motor vehicle without a valid commercial driver's 6731

license being in the person's possession; 6732

(f) Violation of section 4511.33 or 4511.34 of the Revised 6733  
Code, or any municipal ordinance or county or township 6734  
resolution substantially similar to either of those sections, or 6735  
any substantially similar law of another state or political 6736  
subdivision of another state; 6737

(g) Violation of any other law of this state, any law of 6738  
another state, or any ordinance or resolution of a political 6739  
subdivision of this state or another state that meets both of 6740  
the following requirements: 6741

(i) It relates to traffic control, other than a parking 6742  
violation; 6743

(ii) It is determined to be a serious traffic violation by 6744  
the United States secretary of transportation and is designated 6745  
by the director as such by rule. 6746

~~(JJ)~~ (KK) "State" means a state of the United States and 6747  
includes the District of Columbia. 6748

~~(KK)~~ (LL) "Tank vehicle" means any commercial motor 6749  
vehicle that is designed to transport any liquid or gaseous 6750  
materials within a tank or tanks that are either permanently or 6751  
temporarily attached to the vehicle or its chassis and have an 6752  
individual rated capacity of more than one hundred nineteen 6753  
gallons and an aggregate rated capacity of one thousand gallons 6754  
or more. "Tank vehicle" does not include a commercial motor 6755  
vehicle transporting an empty storage container tank that is not 6756  
designed for transportation, has a rated capacity of one 6757  
thousand gallons or more, and is temporarily attached to a 6758  
flatbed trailer. 6759

~~(LL)~~ (MM) "Tester" means a person or entity acting 6760

pursuant to a valid agreement entered into pursuant to division 6761  
(B) of section 4506.09 of the Revised Code. 6762

~~(MM)~~ (NN) "Texting" means manually entering alphanumeric 6763  
text into, or reading text from, an electronic device. Texting 6764  
includes short message service, e-mail, instant messaging, a 6765  
command or request to access a world wide web page, pressing 6766  
more than a single button to initiate or terminate a voice 6767  
communication using a mobile telephone, or engaging in any other 6768  
form of electronic text retrieval or entry, for present or 6769  
future communication. Texting does not include the following: 6770

(1) Using voice commands to initiate, receive, or 6771  
terminate a voice communication using a mobile telephone; 6772

(2) Inputting, selecting, or reading information on a 6773  
global positioning system or navigation system; 6774

(3) Pressing a single button to initiate or terminate a 6775  
voice communication using a mobile telephone; or 6776

(4) Using, for a purpose that is not otherwise prohibited 6777  
by law, a device capable of performing multiple functions, such 6778  
as a fleet management system, a dispatching device, a mobile 6779  
telephone, a citizens band radio, or a music player. 6780

~~(NN)~~ (OO) "Texting while driving" means texting while 6781  
operating a commercial motor vehicle, with the motor running, 6782  
including while temporarily stationary because of traffic, a 6783  
traffic control device, or other momentary delays. Texting while 6784  
driving does not include operating a commercial motor vehicle 6785  
with or without the motor running when the driver has moved the 6786  
vehicle to the side of, or off, a highway and is stopped in a 6787  
location where the vehicle can safely remain stationary. 6788

~~(OO)~~ (PP) "United States" means the fifty states and the 6789

District of Columbia. 6790

~~(PP)~~ (QQ) "Upgrade" means a change in the class of 6791  
vehicles, endorsements, or self-certified status as described in 6792  
division (A) (1) of section 4506.10 of the Revised Code, that 6793  
expands the ability of a current commercial driver's license 6794  
holder to operate commercial motor vehicles under this chapter; 6795

~~(QQ)~~ (RR) "Use of a handheld mobile telephone" means: 6796

(1) Using at least one hand to hold a mobile telephone to 6797  
conduct a voice communication; 6798

(2) Dialing or answering a mobile telephone by pressing 6799  
more than a single button; or 6800

(3) Reaching for a mobile telephone in a manner that 6801  
requires a driver to maneuver so that the driver is no longer in 6802  
a seated driving position, or restrained by a seat belt that is 6803  
installed in accordance with 49 C.F.R. 393.93 and adjusted in 6804  
accordance with the vehicle manufacturer's instructions. 6805

~~(RR)~~ (SS) "Vehicle" has the same meaning as in section 6806  
4511.01 of the Revised Code. 6807

**Sec. 4506.16.** (A) Any person who is found to have been 6808  
convicted of a violation of an out-of-service order shall be 6809  
disqualified by the registrar of motor vehicles as follows: 6810

(1) If the person has not been convicted previously of a 6811  
violation of an out-of-service order, the period of 6812  
disqualification is one hundred eighty days. 6813

(2) If, during any ten-year period, the driver is 6814  
convicted of a second violation of an out-of-service order in an 6815  
incident separate from the incident that resulted in the first 6816  
violation, the period of disqualification is two years. 6817



(3) If, during any ten-year period, the driver is 6818  
convicted of a third or subsequent violation of an out-of- 6819  
service order in an incident separate from the incidents that 6820  
resulted in the previous violations during that ten-year period, 6821  
the period of disqualification is three years. 6822

(B) (1) A driver is disqualified for one hundred eighty 6823  
days if the driver is convicted of a first violation of an out- 6824  
of-service order while transporting hazardous materials required 6825  
to be placarded under the "Hazardous Materials Transportation 6826  
Act," 88 Stat. 2156 (1975), 49 U.S.C.A. 1801, as amended, or 6827  
while operating a motor vehicle designed to transport sixteen or 6828  
more passengers, including the driver. 6829

(2) A driver is disqualified for a period of three years 6830  
if, during any ten-year period, the driver is convicted of a 6831  
second or subsequent violation, in an incident separate from the 6832  
incident that resulted in a previous violation during that ten- 6833  
year period, of an out-of-service order while transporting 6834  
hazardous materials required to be placarded under that act, or 6835  
while operating a motor vehicle designed to transport sixteen or 6836  
more passengers, including the driver. 6837

(C) Whoever violates division (A) (1) of section 4506.15 of 6838  
the Revised Code or a similar law of another state or a foreign 6839  
jurisdiction, immediately shall be placed out-of-service for 6840  
twenty-four hours, in addition to any disqualification required 6841  
by this section and any other penalty imposed by the Revised 6842  
Code. 6843

(D) The registrar of motor vehicles shall disqualify any 6844  
holder of a commercial driver's license or commercial driver's 6845  
license temporary instruction permit, or any operator of a 6846  
commercial motor vehicle for which a commercial driver's license 6847

or permit is required, from operating a commercial motor vehicle 6848  
as follows: 6849

(1) Upon a first conviction for a violation of any 6850  
provision of divisions (A) (2) to (12) of section 4506.15 of the 6851  
Revised Code or a similar law of another state or a foreign 6852  
jurisdiction, or upon a first suspension imposed under section 6853  
4511.191 of the Revised Code or a similar law of another state 6854  
or foreign jurisdiction, one year; 6855

(2) Upon a second conviction for a violation of any 6856  
provision of divisions (A) (2) to (12) of section 4506.15 of the 6857  
Revised Code or a similar law of another state or a foreign 6858  
jurisdiction, or upon a second suspension imposed under section 6859  
4511.191 of the Revised Code or a similar law of another state 6860  
or foreign jurisdiction, or any combination of such violations 6861  
arising from two or more separate incidents, the person shall be 6862  
disqualified for life or for any other period of time as 6863  
determined by the United States secretary of transportation and 6864  
designated by the director of public safety by rule; 6865

(3) Upon a first conviction for any of the following 6866  
violations while transporting hazardous materials, three years: 6867

(a) Divisions (A) (2) to (12) of section 4506.15 of the 6868  
Revised Code; 6869

(b) A similar law of another state or a foreign 6870  
jurisdiction. 6871

(4) Upon conviction of a violation of division (A) (13) of 6872  
section 4506.15 of the Revised Code or a similar law of another 6873  
state or a foreign jurisdiction, the person shall be 6874  
disqualified for life; 6875

(5) (a) Upon conviction of two serious traffic violations 6876

involving the operation of a commercial motor vehicle by the 6877  
person and arising from separate incidents occurring in a three- 6878  
year period, the person shall be disqualified for sixty days, 6879  
which disqualification shall be imposed consecutively to any 6880  
other separate disqualification imposed under division (D) (5) or 6881  
(6) of this section; 6882

(b) Upon conviction of three or more serious traffic 6883  
violations involving the operation of a commercial motor vehicle 6884  
by the person and arising from separate incidents occurring in a 6885  
three-year period, the person shall be disqualified for one 6886  
hundred twenty days, which disqualification shall be imposed 6887  
consecutively to any other separate disqualification imposed 6888  
under division (D) (5) or (6) of this section; 6889

(6) (a) Upon conviction of two serious traffic violations 6890  
involving the operation of a vehicle other than a commercial 6891  
motor vehicle by the person and arising from separate incidents 6892  
occurring in a three-year period, the person shall be 6893  
disqualified for sixty days if the conviction results in the 6894  
suspension, cancellation, or revocation of the holder's 6895  
commercial driver's license or commercial driver's license 6896  
temporary instruction permit, or noncommercial motor vehicle 6897  
driving privileges, which disqualification shall be imposed 6898  
consecutively to any other separate disqualification imposed 6899  
under division (D) (5) or (6) of this section; 6900

(b) Upon conviction of three or more serious traffic 6901  
violations involving the operation of a vehicle other than a 6902  
commercial motor vehicle by the person and arising from separate 6903  
incidents occurring in a three-year period, the person shall be 6904  
disqualified for one hundred twenty days if the conviction 6905  
results in the suspension, cancellation, or revocation of the 6906

holder's commercial driver's license or permit, or noncommercial 6907  
motor vehicle driving privileges, which disqualification shall 6908  
be imposed consecutively to any other separate disqualification 6909  
imposed under division (D) (5) or (6) of this section. 6910

(7) Upon a first conviction involving the operation of a 6911  
commercial motor vehicle in violation of any provisions of 6912  
sections 4511.61 to 4511.63 of the Revised Code or a similar law 6913  
of another state or foreign jurisdiction, not less than sixty 6914  
days; 6915

(8) Upon a second conviction involving the operation of a 6916  
commercial motor vehicle in violation of any provisions of 6917  
sections 4511.61 to 4511.63 of the Revised Code or a similar law 6918  
of another state or foreign jurisdiction within three years of 6919  
the first such conviction, not less than one hundred twenty 6920  
days; 6921

(9) Upon a third or subsequent conviction involving the 6922  
operation of a commercial motor vehicle in violation of any 6923  
provisions of sections 4511.61 to 4511.63 of the Revised Code or 6924  
a similar law of another state or foreign jurisdiction within 6925  
three years of the first such conviction, not less than one 6926  
year; 6927

(10) Upon receiving notification from the federal motor 6928  
carrier safety administration, the registrar immediately, prior 6929  
to any hearing, shall disqualify any commercial motor vehicle 6930  
driver whose driving is determined to constitute an imminent 6931  
hazard as defined under federal motor carrier safety regulation 6932  
49 C.F.R. 383.52. 6933

(E) For the purposes of this section, conviction of a 6934  
violation for which disqualification is required includes 6935

conviction under any municipal ordinance that is substantially 6936  
similar to any section of the Revised Code that is set forth in 6937  
division (D) of this section and may be evidenced by any of the 6938  
following: 6939

(1) A judgment entry of a court of competent jurisdiction 6940  
in this or any other state; 6941

(2) An administrative order of a state agency of this or 6942  
any other state having statutory jurisdiction over commercial 6943  
drivers; 6944

(3) A computer record obtained from or through the 6945  
commercial driver's license information system; 6946

(4) A computer record obtained from or through a state 6947  
agency of this or any other state having statutory jurisdiction 6948  
over commercial drivers or the records of commercial drivers. 6949

(F) For purposes of this section, conviction of 6950  
disqualifying offenses committed in a noncommercial motor 6951  
vehicle are included if either of the following applies: 6952

(1) The offense occurred after the person obtained the 6953  
person's commercial driver's license or commercial driver's 6954  
license temporary instruction permit. 6955

(2) The offense occurs on or after September 30, 2005. 6956

(G) If a person commits a serious traffic violation by 6957  
operating a commercial motor vehicle without having a commercial 6958  
driver's license or commercial driver's license temporary 6959  
instruction permit in the person's possession as described in 6960  
division ~~(II) (3) (e)~~ (JJ) (3) (e) of section 4506.01 of the Revised 6961  
Code and the person then submits proof to either the enforcement 6962  
agency that issued the citation for the violation or to the 6963

court with jurisdiction over the case before the date of the 6964  
person's initial appearance that shows that the person held a 6965  
valid commercial driver's license or permit at the time of the 6966  
violation, the violation shall not be deemed to be a serious 6967  
traffic violation. 6968

(H) Any record described in division (C) of this section 6969  
shall be deemed to be self-authenticating when it is received by 6970  
the bureau of motor vehicles. 6971

(I) When disqualifying a driver, the registrar shall cause 6972  
the records of the bureau to be updated to reflect that action 6973  
within ten days after it occurs. 6974

(J) The registrar immediately shall notify a driver who is 6975  
finally convicted of any offense described in section 4506.15 of 6976  
the Revised Code or division (D) (4), (5), or (6) of this section 6977  
and thereby is subject to disqualification, of the offense or 6978  
offenses involved, of the length of time for which 6979  
disqualification is to be imposed, and that the driver may 6980  
request a hearing within thirty days of the mailing of the 6981  
notice to show cause why the driver should not be disqualified 6982  
from operating a commercial motor vehicle. If a request for such 6983  
a hearing is not made within thirty days of the mailing of the 6984  
notice, the order of disqualification is final. The registrar 6985  
may designate hearing examiners who, after affording all parties 6986  
reasonable notice, shall conduct a hearing to determine whether 6987  
the disqualification order is supported by reliable evidence. 6988  
The registrar shall adopt rules to implement this division. 6989

(K) Any person who is disqualified from operating a 6990  
commercial motor vehicle under this section may apply to the 6991  
registrar for a driver's license to operate a motor vehicle 6992  
other than a commercial motor vehicle, provided the person's 6993

commercial driver's license is not otherwise suspended. A person 6994  
whose commercial driver's license is suspended shall not apply 6995  
to the registrar for or receive a driver's license under Chapter 6996  
4507. of the Revised Code during the period of suspension. 6997

(L) The disqualifications imposed under this section are 6998  
in addition to any other penalty imposed by the Revised Code. 6999

(M) Any conviction for an offense that would lead to 7000  
disqualification as specified in this section, whether committed 7001  
in a commercial motor vehicle or a vehicle other than a 7002  
commercial motor vehicle, shall be counted for the purposes of 7003  
determining the number of violations and the appropriate 7004  
disqualification period under this section. 7005

**Sec. 4509.01.** As used in sections 4509.01 to 4509.78 of 7006  
the Revised Code: 7007

(A) "Person" includes every natural person, firm, 7008  
partnership, association, or corporation. 7009

(B) "Driver" means every person who drives or is in actual 7010  
physical control of a motor vehicle. 7011

(C) "License" includes any license, permit, or privilege 7012  
to operate a motor vehicle issued under the laws of this state 7013  
including: 7014

(1) Any temporary instruction permit or examiner's driving 7015  
permit; 7016

(2) The privilege of any person to drive a motor vehicle 7017  
whether or not such person holds a valid license; 7018

(3) Any nonresident's operating privilege. 7019

(D) "Owner" means a person who holds the legal title of a 7020

motor vehicle. If a motor vehicle is the subject of a lease with 7021  
an immediate right of possession vested in the lessee, the 7022  
lessee is the owner. A person listed as the owner on a 7023  
certificate of title on which there is a notation of a security 7024  
interest is the owner. A buyer or other transferee of a motor 7025  
vehicle who receives the certificate of title from the seller or 7026  
transferor listing the seller or transferor thereon as the owner 7027  
with an assignment of title to the buyer or transferee 7028  
nonetheless is the owner even though a subsequent certificate of 7029  
title has not been issued listing the buyer or transferee as the 7030  
owner. 7031

(E) "Registration" means registration certificates and 7032  
registration plates issued under the laws of this state 7033  
pertaining to the registration of motor vehicles. 7034

(F) "Nonresident" means every person who is not a resident 7035  
of this state. 7036

(G) "Nonresident's operating privilege" means the 7037  
privilege conferred upon a nonresident by the laws of this state 7038  
pertaining to the operation by such person of a motor vehicle, 7039  
or the use of a motor vehicle owned by such person, in this 7040  
state. 7041

(H) "Vehicle" means every device by which any person or 7042  
property may be transported upon a highway, except electric 7043  
personal assistive mobility devices, low-speed micromobility 7044  
devices, devices moved by power collected from overhead electric 7045  
trolley wires, or used exclusively upon stationary rails or 7046  
tracks, and except devices other than bicycles moved by human 7047  
power. 7048

(I) "Motor vehicle" means every vehicle propelled by power 7049



other than muscular power or power collected from overhead 7050  
electric trolley wires, except motorized bicycles, electric 7051  
bicycles, road rollers, traction engines, power shovels, power 7052  
cranes and other equipment used in construction work and not 7053  
designed for or employed in general highway transportation, 7054  
hole-digging machinery, well-drilling machinery, ditch-digging 7055  
machinery, farm machinery, threshing machinery, hay baling 7056  
machinery, and agricultural tractors and machinery used in the 7057  
production of horticultural, floricultural, agricultural, and 7058  
vegetable products. 7059

(J) "Accident" or "motor vehicle accident" means any 7060  
accident involving a motor vehicle which results in bodily 7061  
injury to or death of any person, or damage to the property of 7062  
any person in excess of four hundred dollars. 7063

(K) "Proof of financial responsibility" means proof of 7064  
ability to respond in damages for liability, on account of 7065  
accidents occurring subsequent to the effective date of such 7066  
proof, arising out of the ownership, maintenance, or use of a 7067  
motor vehicle in the amount of twenty-five thousand dollars 7068  
because of bodily injury to or death of one person in any one 7069  
accident, in the amount of fifty thousand dollars because of 7070  
bodily injury to or death of two or more persons in any one 7071  
accident, and in the amount of twenty-five thousand dollars 7072  
because of injury to property of others in any one accident. 7073

(L) "Motor-vehicle liability policy" means an "owner's 7074  
policy" or an "operator's policy" of liability insurance, 7075  
certified as provided in section 4509.46 or 4509.47 of the 7076  
Revised Code as proof of financial responsibility, and issued, 7077  
except as provided in section 4509.47 of the Revised Code, by an 7078  
insurance carrier authorized to do business in this state, to or 7079

for the benefit of the person named therein as insured. 7080

(M) "Bail forfeiture" and "forfeited bail" have the same 7081  
meanings as in section 2937.01 of the Revised Code. 7082

**Sec. 4509.35.** Whenever any person fails within thirty days 7083  
to satisfy a judgment rendered within this state, upon the 7084  
written request of the judgment creditor or the judgment 7085  
creditor's attorney, the clerk of the court which rendered the 7086  
judgment, or the judge of the court or mayor of the mayor's 7087  
court if the court has no clerk, immediately shall forward a 7088  
certified copy of the judgment to the registrar of motor 7089  
vehicles. 7090

Whenever any nonresident has been convicted of an offense 7091  
for which the court is required to impose a license suspension 7092  
under any provision of the Revised Code or has forfeited bail 7093  
given to secure the nonresident's appearance for trial upon a 7094  
charge of any offense for which the court is required to impose 7095  
a license suspension under any provision of the Revised Code, 7096  
the clerk of every court of record and the mayor of every 7097  
mayor's court immediately shall forward to the registrar a 7098  
certified copy or transcript of the conviction or order 7099  
~~forfeiture~~ of bail forfeiture. 7100

**Sec. 4510.01.** As used in this title and in Title XXIX of 7101  
the Revised Code: 7102

(A) "Cancel" or "cancellation" means the annulment or 7103  
termination by the bureau of motor vehicles of a driver's 7104  
license, commercial driver's license, temporary instruction 7105  
permit, probationary license, or nonresident operating privilege 7106  
because it was obtained unlawfully, issued in error, altered, or 7107  
willfully destroyed, or because the holder no longer is entitled 7108

to the license, permit, or privilege. 7109

(B) "Drug abuse offense," "cocaine," and "L.S.D." have the 7110  
same meanings as in section 2925.01 of the Revised Code. 7111

(C) "Ignition interlock device" means a device approved by 7112  
the director of public safety that connects a breath analyzer to 7113  
a motor vehicle's ignition system, that is constantly available 7114  
to monitor the concentration by weight of alcohol in the breath 7115  
of any person attempting to start that motor vehicle by using 7116  
its ignition system, and that deters starting the motor vehicle 7117  
by use of its ignition system unless the person attempting to 7118  
start the vehicle provides an appropriate breath sample for the 7119  
device and the device determines that the concentration by 7120  
weight of alcohol in the person's breath is below a preset 7121  
level. 7122

(D) "Immobilizing or disabling device" means a device 7123  
approved by the director of public safety that may be ordered by 7124  
a court to be used by an offender as a condition of limited 7125  
driving privileges. "Immobilizing or disabling device" includes 7126  
an ignition interlock device, and any prototype device that is 7127  
used according to protocols designed to ensure efficient and 7128  
effective monitoring of limited driving privileges granted by a 7129  
court to an offender. 7130

(E) "Moving violation" means any violation of any statute 7131  
or ordinance that regulates the operation of vehicles, 7132  
streetcars, or trackless trolleys on the highways or streets. 7133  
"Moving violation" does not include a violation of section 7134  
4513.263 of the Revised Code or a substantially equivalent 7135  
municipal ordinance, a violation of any statute or ordinance 7136  
regulating pedestrians or the parking of vehicles, vehicle size 7137  
or load limitations, vehicle fitness requirements, or vehicle 7138

registration. 7139

(F) "Municipal OVI ordinance" and "municipal OVI offense" 7140  
have the same meanings as in section 4511.181 of the Revised 7141  
Code. 7142

(G) "Prototype device" means any testing device to monitor 7143  
limited driving privileges that has not yet been approved or 7144  
disapproved by the director of public safety. 7145

(H) "Suspend" or "suspension" means the permanent or 7146  
temporary withdrawal, by action of a court or the bureau of 7147  
motor vehicles, of a driver's license, commercial driver's 7148  
license, temporary instruction permit, probationary license, or 7149  
nonresident operating privilege for the period of the suspension 7150  
or the permanent or temporary withdrawal of the privilege to 7151  
obtain a license, permit, or privilege of that type for the 7152  
period of the suspension. 7153

(I) "Controlled substance" and "marihuana" have the same 7154  
meanings as in section 3719.01 of the Revised Code. 7155

(J) "Bail forfeiture," "forfeited bail," and "forfeits 7156  
bail" have the same meanings as in section 2937.01 of the 7157  
Revised Code. 7158

**Sec. 4510.03.** (A) Every county court judge, mayor of a 7159  
mayor's court, and clerk of a court of record shall keep a full 7160  
record of every case in which a person is charged with any 7161  
violation of any provision of sections 4511.01 to 4511.771 or 7162  
4513.01 to 4513.36 of the Revised Code or of any other law or 7163  
ordinance regulating the operation of vehicles, streetcars, and 7164  
trackless trolleys on highways or streets. 7165

(B) If a person is convicted of or forfeits bail in 7166  
relation to a violation of any section listed in division (A) of 7167

this section or a violation of any other law or ordinance 7168  
regulating the operation of vehicles, streetcars, and trackless 7169  
trolleys on highways or streets, the county court judge, mayor 7170  
of a mayor's court, or clerk, within seven days after the 7171  
conviction or bail forfeiture, shall prepare and immediately 7172  
forward to the bureau of motor vehicles an abstract, certified 7173  
by the preparer to be true and correct, of the court record 7174  
covering the case in which the person was convicted or forfeited 7175  
bail. Every court of record also shall forward to the bureau of 7176  
motor vehicles an abstract of the court record as described in 7177  
division (C) of this section upon the conviction of any person 7178  
of aggravated vehicular homicide or vehicular homicide or of a 7179  
felony in the commission of which a vehicle was used. 7180

(C) Each abstract required by this section shall be made 7181  
upon a form approved and furnished by the bureau and shall 7182  
include the name and address of the person charged, the number 7183  
of the person's driver's or commercial driver's license, 7184  
probationary driver's license, or temporary instruction permit, 7185  
the registration number of the vehicle involved, the nature of 7186  
the offense, the date of the offense, the date of hearing, the 7187  
plea, the judgment, or whether ~~bail~~there was forfeited a bail 7188  
forfeiture, and the amount of the fine or forfeiture. 7189

**Sec. 4511.01.** As used in this chapter and in Chapter 4513. 7190  
of the Revised Code: 7191

(A) "Vehicle" means every device, including a motorized 7192  
bicycle and an electric bicycle, in, upon, or by which any 7193  
person or property may be transported or drawn upon a highway, 7194  
except that "vehicle" does not include any motorized wheelchair, 7195  
any electric personal assistive mobility device, any low-speed 7196  
micromobility device, any personal delivery device as defined in 7197

section 4511.513 of the Revised Code, any device that is moved 7198  
by power collected from overhead electric trolley wires or that 7199  
is used exclusively upon stationary rails or tracks, or any 7200  
device, other than a bicycle, that is moved by human power. 7201

(B) "Motor vehicle" means every vehicle propelled or drawn 7202  
by power other than muscular power or power collected from 7203  
overhead electric trolley wires, except motorized bicycles, 7204  
electric bicycles, road rollers, traction engines, power 7205  
shovels, power cranes, and other equipment used in construction 7206  
work and not designed for or employed in general highway 7207  
transportation, hole-digging machinery, well-drilling machinery, 7208  
ditch-digging machinery, farm machinery, and trailers designed 7209  
and used exclusively to transport a boat between a place of 7210  
storage and a marina, or in and around a marina, when drawn or 7211  
towed on a street or highway for a distance of no more than ten 7212  
miles and at a speed of twenty-five miles per hour or less. 7213

(C) "Motorcycle" means every motor vehicle, other than a 7214  
tractor, having a seat or saddle for the use of the operator and 7215  
designed to travel on not more than three wheels in contact with 7216  
the ground, including, but not limited to, motor vehicles known 7217  
as "motor-driven cycle," "motor scooter," "autocycle," "cab- 7218  
enclosed motorcycle," or "motorcycle" without regard to weight 7219  
or brake horsepower. 7220

(D) "Emergency vehicle" means emergency vehicles of 7221  
municipal, township, or county departments or public utility 7222  
corporations when identified as such as required by law, the 7223  
director of public safety, or local authorities, and motor 7224  
vehicles when commandeered by a police officer. 7225

(E) "Public safety vehicle" means any of the following: 7226

(1) Ambulances, including private ambulance companies	7227
under contract to a municipal corporation, township, or county,	7228
and private ambulances and nontransport vehicles bearing license	7229
plates issued under section 4503.49 of the Revised Code;	7230
(2) Motor vehicles used by public law enforcement officers	7231
or other persons sworn to enforce the criminal and traffic laws	7232
of the state;	7233
(3) Any motor vehicle when properly identified as required	7234
by the director of public safety, when used in response to fire	7235
emergency calls or to provide emergency medical service to ill	7236
or injured persons, and when operated by a duly qualified person	7237
who is a member of a volunteer rescue service or a volunteer	7238
fire department, and who is on duty pursuant to the rules or	7239
directives of that service. The state fire marshal shall be	7240
designated by the director of public safety as the certifying	7241
agency for all public safety vehicles described in division (E)	7242
(3) of this section.	7243
(4) Vehicles used by fire departments, including motor	7244
vehicles when used by volunteer fire fighters responding to	7245
emergency calls in the fire department service when identified	7246
as required by the director of public safety.	7247
Any vehicle used to transport or provide emergency medical	7248
service to an ill or injured person, when certified as a public	7249
safety vehicle, shall be considered a public safety vehicle when	7250
transporting an ill or injured person to a hospital regardless	7251
of whether such vehicle has already passed a hospital.	7252
(5) Vehicles used by the motor carrier enforcement unit	7253
for the enforcement of orders and rules of the public utilities	7254
commission as specified in section 5503.34 of the Revised Code.	7255

(F) "School bus" means every bus designed for carrying 7256  
more than nine passengers that is owned by a public, private, or 7257  
governmental agency or institution of learning and operated for 7258  
the transportation of children to or from a school session or a 7259  
school function, or owned by a private person and operated for 7260  
compensation for the transportation of children to or from a 7261  
school session or a school function, provided "school bus" does 7262  
not include a bus operated by a municipally owned transportation 7263  
system, a mass transit company operating exclusively within the 7264  
territorial limits of a municipal corporation, or within such 7265  
limits and the territorial limits of municipal corporations 7266  
immediately contiguous to such municipal corporation, nor a 7267  
common passenger carrier certified by the public utilities 7268  
commission unless such bus is devoted exclusively to the 7269  
transportation of children to and from a school session or a 7270  
school function, and "school bus" does not include a van or bus 7271  
used by a licensed child day-care center or type A family day- 7272  
care home to transport children from the child day-care center 7273  
or type A family day-care home to a school if the van or bus 7274  
does not have more than fifteen children in the van or bus at 7275  
any time. 7276

(G) "Bicycle" means every device, other than a device that 7277  
is designed solely for use as a play vehicle by a child, that is 7278  
propelled solely by human power upon which a person may ride, 7279  
and that has two or more wheels, any of which is more than 7280  
fourteen inches in diameter. 7281

(H) "Motorized bicycle" or "moped" means any vehicle 7282  
having either two tandem wheels or one wheel in the front and 7283  
two wheels in the rear, that may be pedaled, and that is 7284  
equipped with a helper motor of not more than fifty cubic 7285  
centimeters piston displacement that produces not more than one 7286



brake horsepower and is capable of propelling the vehicle at a 7287  
speed of not greater than twenty miles per hour on a level 7288  
surface. "Motorized bicycle" or "moped" does not include an 7289  
electric bicycle. 7290

(I) "Commercial tractor" means every motor vehicle having 7291  
motive power designed or used for drawing other vehicles and not 7292  
so constructed as to carry any load thereon, or designed or used 7293  
for drawing other vehicles while carrying a portion of such 7294  
other vehicles, or load thereon, or both. 7295

(J) "Agricultural tractor" means every self-propelling 7296  
vehicle designed or used for drawing other vehicles or wheeled 7297  
machinery but having no provision for carrying loads 7298  
independently of such other vehicles, and used principally for 7299  
agricultural purposes. 7300

(K) "Truck" means every motor vehicle, except trailers and 7301  
semitrailers, designed and used to carry property. 7302

(L) "Bus" means every motor vehicle designed for carrying 7303  
more than nine passengers and used for the transportation of 7304  
persons other than in a ridesharing arrangement, and every motor 7305  
vehicle, automobile for hire, or funeral car, other than a 7306  
taxicab or motor vehicle used in a ridesharing arrangement, 7307  
designed and used for the transportation of persons for 7308  
compensation. 7309

(M) "Trailer" means every vehicle designed or used for 7310  
carrying persons or property wholly on its own structure and for 7311  
being drawn by a motor vehicle, including any such vehicle when 7312  
formed by or operated as a combination of a "semitrailer" and a 7313  
vehicle of the dolly type, such as that commonly known as a 7314  
"trailer dolly," a vehicle used to transport agricultural 7315

produce or agricultural production materials between a local 7316  
place of storage or supply and the farm when drawn or towed on a 7317  
street or highway at a speed greater than twenty-five miles per 7318  
hour, and a vehicle designed and used exclusively to transport a 7319  
boat between a place of storage and a marina, or in and around a 7320  
marina, when drawn or towed on a street or highway for a 7321  
distance of more than ten miles or at a speed of more than 7322  
twenty-five miles per hour. 7323

(N) "Semitrailer" means every vehicle designed or used for 7324  
carrying persons or property with another and separate motor 7325  
vehicle so that in operation a part of its own weight or that of 7326  
its load, or both, rests upon and is carried by another vehicle. 7327

(O) "Pole trailer" means every trailer or semitrailer 7328  
attached to the towing vehicle by means of a reach, pole, or by 7329  
being boomed or otherwise secured to the towing vehicle, and 7330  
ordinarily used for transporting long or irregular shaped loads 7331  
such as poles, pipes, or structural members capable, generally, 7332  
of sustaining themselves as beams between the supporting 7333  
connections. 7334

(P) "Railroad" means a carrier of persons or property 7335  
operating upon rails placed principally on a private right-of- 7336  
way. 7337

(Q) "Railroad train" means a steam engine or an electric 7338  
or other motor, with or without cars coupled thereto, operated 7339  
by a railroad. 7340

(R) "Streetcar" means a car, other than a railroad train, 7341  
for transporting persons or property, operated upon rails 7342  
principally within a street or highway. 7343

(S) "Trackless trolley" means every car that collects its 7344

power from overhead electric trolley wires and that is not 7345  
operated upon rails or tracks. 7346

(T) "Explosives" means any chemical compound or mechanical 7347  
mixture that is intended for the purpose of producing an 7348  
explosion that contains any oxidizing and combustible units or 7349  
other ingredients in such proportions, quantities, or packing 7350  
that an ignition by fire, by friction, by concussion, by 7351  
percussion, or by a detonator of any part of the compound or 7352  
mixture may cause such a sudden generation of highly heated 7353  
gases that the resultant gaseous pressures are capable of 7354  
producing destructive effects on contiguous objects, or of 7355  
destroying life or limb. Manufactured articles shall not be held 7356  
to be explosives when the individual units contain explosives in 7357  
such limited quantities, of such nature, or in such packing, 7358  
that it is impossible to procure a simultaneous or a destructive 7359  
explosion of such units, to the injury of life, limb, or 7360  
property by fire, by friction, by concussion, by percussion, or 7361  
by a detonator, such as fixed ammunition for small arms, 7362  
firecrackers, or safety fuse matches. 7363

(U) "Flammable liquid" means any liquid that has a flash 7364  
point of seventy degrees fahrenheit, or less, as determined by a 7365  
tagliabue or equivalent closed cup test device. 7366

(V) "Gross weight" means the weight of a vehicle plus the 7367  
weight of any load thereon. 7368

(W) "Person" means every natural person, firm, co- 7369  
partnership, association, or corporation. 7370

(X) "Pedestrian" means any natural person afoot. 7371  
"Pedestrian" includes a personal delivery device as defined in 7372  
section 4511.513 of the Revised Code unless the context clearly 7373

suggests otherwise. 7374

(Y) "Driver or operator" means every person who drives or 7375  
is in actual physical control of a vehicle, trackless trolley, 7376  
or streetcar. 7377

(Z) "Police officer" means every officer authorized to 7378  
direct or regulate traffic, or to make arrests for violations of 7379  
traffic regulations. 7380

(AA) "Local authorities" means every county, municipal, 7381  
and other local board or body having authority to adopt police 7382  
regulations under the constitution and laws of this state. 7383

(BB) "Street" or "highway" means the entire width between 7384  
the boundary lines of every way open to the use of the public as 7385  
a thoroughfare for purposes of vehicular travel. 7386

(CC) "Controlled-access highway" means every street or 7387  
highway in respect to which owners or occupants of abutting 7388  
lands and other persons have no legal right of access to or from 7389  
the same except at such points only and in such manner as may be 7390  
determined by the public authority having jurisdiction over such 7391  
street or highway. 7392

(DD) "Private road or driveway" means every way or place 7393  
in private ownership used for vehicular travel by the owner and 7394  
those having express or implied permission from the owner but 7395  
not by other persons. 7396

(EE) "Roadway" means that portion of a highway improved, 7397  
designed, or ordinarily used for vehicular travel, except the 7398  
berm or shoulder. If a highway includes two or more separate 7399  
roadways the term "roadway" means any such roadway separately 7400  
but not all such roadways collectively. 7401

(FF) "Sidewalk" means that portion of a street between the 7402  
curb lines, or the lateral lines of a roadway, and the adjacent 7403  
property lines, intended for the use of pedestrians. 7404

(GG) "Laned highway" means a highway the roadway of which 7405  
is divided into two or more clearly marked lanes for vehicular 7406  
traffic. 7407

(HH) "Through highway" means every street or highway as 7408  
provided in section 4511.65 of the Revised Code. 7409

(II) "State highway" means a highway under the 7410  
jurisdiction of the department of transportation, outside the 7411  
limits of municipal corporations, provided that the authority 7412  
conferred upon the director of transportation in section 5511.01 7413  
of the Revised Code to erect state highway route markers and 7414  
signs directing traffic shall not be modified by sections 7415  
4511.01 to 4511.79 and 4511.99 of the Revised Code. 7416

(JJ) "State route" means every highway that is designated 7417  
with an official state route number and so marked. 7418

(KK) "Intersection" means: 7419

(1) The area embraced within the prolongation or 7420  
connection of the lateral curb lines, or, if none, the lateral 7421  
boundary lines of the roadways of two highways that join one 7422  
another at, or approximately at, right angles, or the area 7423  
within which vehicles traveling upon different highways that 7424  
join at any other angle might come into conflict. The junction 7425  
of an alley or driveway with a roadway or highway does not 7426  
constitute an intersection unless the roadway or highway at the 7427  
junction is controlled by a traffic control device. 7428

(2) If a highway includes two roadways that are thirty 7429  
feet or more apart, then every crossing of each roadway of such 7430

divided highway by an intersecting highway constitutes a 7431  
separate intersection. If both intersecting highways include two 7432  
roadways thirty feet or more apart, then every crossing of any 7433  
two roadways of such highways constitutes a separate 7434  
intersection. 7435

(3) At a location controlled by a traffic control signal, 7436  
regardless of the distance between the separate intersections as 7437  
described in division (KK)(2) of this section: 7438

(a) If a stop line, yield line, or crosswalk has not been 7439  
designated on the roadway within the median between the separate 7440  
intersections, the two intersections and the roadway and median 7441  
constitute one intersection. 7442

(b) Where a stop line, yield line, or crosswalk line is 7443  
designated on the roadway on the intersection approach, the area 7444  
within the crosswalk and any area beyond the designated stop 7445  
line or yield line constitute part of the intersection. 7446

(c) Where a crosswalk is designated on a roadway on the 7447  
departure from the intersection, the intersection includes the 7448  
area that extends to the far side of the crosswalk. 7449

(LL) "Crosswalk" means: 7450

(1) That part of a roadway at intersections ordinarily 7451  
included within the real or projected prolongation of property 7452  
lines and curb lines or, in the absence of curbs, the edges of 7453  
the traversable roadway; 7454

(2) Any portion of a roadway at an intersection or 7455  
elsewhere, distinctly indicated for pedestrian crossing by lines 7456  
or other markings on the surface; 7457

(3) Notwithstanding divisions (LL)(1) and (2) of this 7458

section, there shall not be a crosswalk where local authorities 7459  
have placed signs indicating no crossing. 7460

(MM) "Safety zone" means the area or space officially set 7461  
apart within a roadway for the exclusive use of pedestrians and 7462  
protected or marked or indicated by adequate signs as to be 7463  
plainly visible at all times. 7464

(NN) "Business district" means the territory fronting upon 7465  
a street or highway, including the street or highway, between 7466  
successive intersections within municipal corporations where 7467  
fifty per cent or more of the frontage between such successive 7468  
intersections is occupied by buildings in use for business, or 7469  
within or outside municipal corporations where fifty per cent or 7470  
more of the frontage for a distance of three hundred feet or 7471  
more is occupied by buildings in use for business, and the 7472  
character of such territory is indicated by official traffic 7473  
control devices. 7474

(OO) "Residence district" means the territory, not 7475  
comprising a business district, fronting on a street or highway, 7476  
including the street or highway, where, for a distance of three 7477  
hundred feet or more, the frontage is improved with residences 7478  
or residences and buildings in use for business. 7479

(PP) "Urban district" means the territory contiguous to 7480  
and including any street or highway which is built up with 7481  
structures devoted to business, industry, or dwelling houses 7482  
situated at intervals of less than one hundred feet for a 7483  
distance of a quarter of a mile or more, and the character of 7484  
such territory is indicated by official traffic control devices. 7485

(QQ) "Traffic control device" means a flagger, sign, 7486  
signal, marking, or other device used to regulate, warn, or 7487

guide traffic, placed on, over, or adjacent to a street, 7488  
highway, private road open to public travel, pedestrian 7489  
facility, or shared-use path by authority of a public agency or 7490  
official having jurisdiction, or, in the case of a private road 7491  
open to public travel, by authority of the private owner or 7492  
private official having jurisdiction. 7493

(RR) "Traffic control signal" means any highway traffic 7494  
signal by which traffic is alternately directed to stop and 7495  
permitted to proceed. 7496

(SS) "Railroad sign or signal" means any sign, signal, or 7497  
device erected by authority of a public body or official or by a 7498  
railroad and intended to give notice of the presence of railroad 7499  
tracks or the approach of a railroad train. 7500

(TT) "Traffic" means pedestrians, ridden or herded 7501  
animals, vehicles, streetcars, trackless trolleys, and other 7502  
devices, either singly or together, while using for purposes of 7503  
travel any highway or private road open to public travel. 7504

(UU) "Right-of-way" means either of the following, as the 7505  
context requires: 7506

(1) The right of a vehicle, streetcar, trackless trolley, 7507  
or pedestrian to proceed uninterruptedly in a lawful manner in 7508  
the direction in which it or the individual is moving in 7509  
preference to another vehicle, streetcar, trackless trolley, or 7510  
pedestrian approaching from a different direction into its or 7511  
the individual's path; 7512

(2) A general term denoting land, property, or the 7513  
interest therein, usually in the configuration of a strip, 7514  
acquired for or devoted to transportation purposes. When used in 7515  
this context, right-of-way includes the roadway, shoulders or 7516



berm, ditch, and slopes extending to the right-of-way limits 7517  
under the control of the state or local authority. 7518

(VV) "Rural mail delivery vehicle" means every vehicle 7519  
used to deliver United States mail on a rural mail delivery 7520  
route. 7521

(WW) "Funeral escort vehicle" means any motor vehicle, 7522  
including a funeral hearse, while used to facilitate the 7523  
movement of a funeral procession. 7524

(XX) "Alley" means a street or highway intended to provide 7525  
access to the rear or side of lots or buildings in urban 7526  
districts and not intended for the purpose of through vehicular 7527  
traffic, and includes any street or highway that has been 7528  
declared an "alley" by the legislative authority of the 7529  
municipal corporation in which such street or highway is 7530  
located. 7531

(YY) "Freeway" means a divided multi-lane highway for 7532  
through traffic with all crossroads separated in grade and with 7533  
full control of access. 7534

(ZZ) "Expressway" means a divided arterial highway for 7535  
through traffic with full or partial control of access with an 7536  
excess of fifty per cent of all crossroads separated in grade. 7537

(AAA) "Thruway" means a through highway whose entire 7538  
roadway is reserved for through traffic and on which roadway 7539  
parking is prohibited. 7540

(BBB) "Stop intersection" means any intersection at one or 7541  
more entrances of which stop signs are erected. 7542

(CCC) "Arterial street" means any United States or state 7543  
numbered route, controlled access highway, or other major radial 7544

or circumferential street or highway designated by local 7545  
authorities within their respective jurisdictions as part of a 7546  
major arterial system of streets or highways. 7547

(DDD) "Ridesharing arrangement" means the transportation 7548  
of persons in a motor vehicle where such transportation is 7549  
incidental to another purpose of a volunteer driver and includes 7550  
ridesharing arrangements known as carpools, vanpools, and 7551  
buspools. 7552

(EEE) "Motorized wheelchair" means any self-propelled 7553  
vehicle designed for, and used by, a handicapped person and that 7554  
is incapable of a speed in excess of eight miles per hour. 7555

(FFF) "Child day-care center" and "type A family day-care 7556  
home" have the same meanings as in section 5104.01 of the 7557  
Revised Code. 7558

(GGG) "Multi-wheel agricultural tractor" means a type of 7559  
agricultural tractor that has two or more wheels or tires on 7560  
each side of one axle at the rear of the tractor, is designed or 7561  
used for drawing other vehicles or wheeled machinery, has no 7562  
provision for carrying loads independently of the drawn vehicles 7563  
or machinery, and is used principally for agricultural purposes. 7564

(HHH) "Operate" means to cause or have caused movement of 7565  
a vehicle, streetcar, or trackless trolley. 7566

(III) "Predicate motor vehicle or traffic offense" means 7567  
any of the following: 7568

(1) A violation of section 4511.03, 4511.051, 4511.12, 7569  
4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 7570  
4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 7571  
4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 7572  
4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 7573

4511.43, 4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 7574  
4511.452, 4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 7575  
4511.511, 4511.522, 4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 7576  
4511.58, 4511.59, 4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 7577  
4511.68, 4511.70, 4511.701, 4511.71, 4511.711, 4511.712, 7578  
4511.713, 4511.72, 4511.73, 4511.763, 4511.771, 4511.78, or 7579  
4511.84 of the Revised Code; 7580

(2) A violation of division (A) (2) of section 4511.17, 7581  
divisions (A) to (D) of section 4511.51, or division (A) of 7582  
section 4511.74 of the Revised Code; 7583

(3) A violation of any provision of sections 4511.01 to 7584  
4511.76 of the Revised Code for which no penalty otherwise is 7585  
provided in the section that contains the provision violated; 7586

(4) A violation of section 4511.214 of the Revised Code; 7587

(5) A violation of a municipal ordinance that is 7588  
substantially similar to any section or provision set forth or 7589  
described in division (III) (1), (2), (3), or (4) of this 7590  
section. 7591

(JJJ) "Road service vehicle" means wreckers, utility 7592  
repair vehicles, and state, county, and municipal service 7593  
vehicles equipped with visual signals by means of flashing, 7594  
rotating, or oscillating lights. 7595

(KKK) "Beacon" means a highway traffic signal with one or 7596  
more signal sections that operate in a flashing mode. 7597

(LLL) "Hybrid beacon" means a type of beacon that is 7598  
intentionally placed in a dark mode between periods of operation 7599  
where no indications are displayed and, when in operation, 7600  
displays both steady and flashing traffic control signal 7601  
indications. 7602

(MMM) "Highway traffic signal" means a power-operated traffic control device by which traffic is warned or directed to take some specific action. "Highway traffic signal" does not include a power-operated sign, steadily illuminated pavement marker, warning light, or steady burning electric lamp.

(NNN) "Median" means the area between two roadways of a divided highway, measured from edge of traveled way to edge of traveled way, but excluding turn lanes. The width of a median may be different between intersections, between interchanges, and at opposite approaches of the same intersection.

(OOO) "Private road open to public travel" means a private toll road or road, including any adjacent sidewalks that generally run parallel to the road, within a shopping center, airport, sports arena, or other similar business or recreation facility that is privately owned but where the public is allowed to travel without access restrictions. "Private road open to public travel" includes a gated toll road but does not include a road within a private gated property where access is restricted at all times, a parking area, a driving aisle within a parking area, or a private grade crossing.

(PPP) "Shared-use path" means a bikeway outside the traveled way and physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent alignment. A shared-use path also may be used by pedestrians, including skaters, joggers, users of manual and motorized wheelchairs, and other authorized motorized and non-motorized users. A shared-use path does not include any trail that is intended to be used primarily for mountain biking, hiking, equestrian use, or other similar uses, or any other single track or natural surface trail

that has historically been reserved for nonmotorized use. 7633

(QQQ) "Highway maintenance vehicle" means a vehicle used 7634  
in snow and ice removal or road surface maintenance, including a 7635  
snow plow, traffic line striper, road sweeper, mowing machine, 7636  
asphalt distributing vehicle, or other such vehicle designed for 7637  
use in specific highway maintenance activities. 7638

(RRR) "Waste collection vehicle" means a vehicle used in 7639  
the collection of garbage, refuse, trash, or recyclable 7640  
materials. 7641

(SSS) "Electric bicycle" means a "class 1 electric 7642  
bicycle," a "class 2 electric bicycle," or a "class 3 electric 7643  
bicycle" as defined in this section. 7644

(TTT) "Class 1 electric bicycle" means a bicycle that is 7645  
equipped with fully operable pedals and an electric motor of 7646  
less than seven hundred fifty watts that provides assistance 7647  
only when the rider is pedaling and ceases to provide assistance 7648  
when the bicycle reaches the speed of twenty miles per hour. 7649

(UUU) "Class 2 electric bicycle" means a bicycle that is 7650  
equipped with fully operable pedals and an electric motor of 7651  
less than seven hundred fifty watts that may provide assistance 7652  
regardless of whether the rider is pedaling and is not capable 7653  
of providing assistance when the bicycle reaches the speed of 7654  
twenty miles per hour. 7655

(VVV) "Class 3 electric bicycle" means a bicycle that is 7656  
equipped with fully operable pedals and an electric motor of 7657  
less than seven hundred fifty watts that provides assistance 7658  
only when the rider is pedaling and ceases to provide assistance 7659  
when the bicycle reaches the speed of twenty-eight miles per 7660  
hour. 7661

(WWW) "Low-speed micromobility device" means a device 7662  
weighing less than one hundred pounds that has handlebars, is 7663  
propelled by an electric motor or human power, and has an 7664  
attainable speed on a paved level surface of not more than 7665  
twenty miles per hour when propelled by the electric motor. 7666

(XXX) "Bail forfeiture" and "forfeited bail" have the same 7667  
meanings as in section 2937.01 of the Revised Code. 7668

**Sec. 4513.37.** Every county court judge, mayor, and clerk 7669  
of a court of record shall keep a full record of every case in 7670  
which a person is charged with any violation of sections 4511.01 7671  
to 4511.78, section 4511.99, and sections 4513.01 to 4513.37 of 7672  
the Revised Code, or of any other law or ordinance regulating 7673  
the operation of vehicles, streetcars, and trackless trolleys on 7674  
highways. 7675

Within seven days after the conviction or bail forfeiture 7676  
~~of bail~~ of a person upon a charge of violating any of such 7677  
sections or other law or ordinance regulating the operation of 7678  
vehicles, streetcars, and trackless trolleys on highways, said 7679  
judge, mayor, or clerk shall prepare and immediately forward to 7680  
the department of public safety an abstract of the court record 7681  
covering the case in which said person was convicted or 7682  
forfeited bail, which abstract must be certified by the person 7683  
required to prepare the same to be true and correct. 7684

The abstract shall be made upon a form approved and 7685  
furnished by the department and shall include the name and 7686  
address of the party charged, the number of the party's driver's 7687  
or commercial driver's license, the registration number of the 7688  
vehicle involved, the nature of the offense, the date of 7689  
hearing, the plea, the judgment, or whether there was a bail 7690  
~~forfeited~~forfeiture, and the amount of the fine or forfeiture. 7691

Every court of record shall also forward a like report to 7692  
the department upon the conviction of any person of manslaughter 7693  
or other felony in the commission of which a vehicle was used. 7694

The failure, refusal, or neglect of such officer to comply 7695  
with this section constitutes misconduct in office and is ground 7696  
for removal therefrom. 7697

The department shall keep all abstracts received under 7698  
this section at its main office. 7699

**Sec. 4729.65.** (A) Except as provided in division (B) of 7700  
this section, all receipts of the state board of pharmacy, from 7701  
any source, shall be deposited into the state treasury to the 7702  
credit of the occupational licensing and regulatory fund. All 7703  
vouchers of the board shall be approved by the president or 7704  
executive director of the board, or both, as authorized by the 7705  
board. All initial issuance fees and renewal fees required by 7706  
sections 4729.01 to 4729.54 of the Revised Code shall be payable 7707  
by the applicant at the time of making application. 7708

(B) (1) There is hereby created in the state treasury the 7709  
board of pharmacy drug law enforcement fund. All moneys that are 7710  
derived from any fines, mandatory fines, or forfeited bail to 7711  
which the board may be entitled under Chapter 2925., division 7712  
(C) of section 2923.42, or division (B) of section 2925.42 of 7713  
the Revised Code and all moneys that are derived from 7714  
forfeitures of property to which the board may be entitled 7715  
pursuant to Chapter 2925. or 2981. of the Revised Code, any 7716  
other provision of the Revised Code, or federal law shall be 7717  
deposited into the fund. Subject to division (B) (2) of this 7718  
section, division (B) of section 2923.44, and divisions (B), 7719  
(C), and (D) of section 2981.13 of the Revised Code, the moneys 7720  
in the fund shall be used solely to subsidize the drug law 7721

enforcement efforts of the board. 7722

(2) There is hereby created in the state treasury the 7723  
board of pharmacy federal equitable sharing justice fund and the 7724  
board of pharmacy federal equitable sharing treasury fund. 7725  
Notwithstanding any contrary provision in the Revised Code, 7726  
moneys that are derived from forfeitures of property pursuant to 7727  
federal law shall be deposited into the board of pharmacy 7728  
federal equitable sharing justice fund or board of pharmacy 7729  
federal equitable sharing treasury fund as determined by the 7730  
source of the money, shall be used and accounted for in 7731  
accordance with the applicable federal law, and the board 7732  
otherwise shall comply with that law in connection with the 7733  
moneys. All investment earnings of the board of pharmacy federal 7734  
equitable sharing justice fund shall be credited to that fund. 7735  
All investment earnings of the board of pharmacy federal 7736  
equitable sharing treasury fund shall be credited to that fund. 7737

(C) All fines and forfeited bonds assessed and collected 7738  
under prosecution or prosecution commenced in the enforcement of 7739  
this chapter shall be paid to the executive director of the 7740  
board within thirty days and by the executive director paid into 7741  
the state treasury to the credit of the occupational licensing 7742  
and regulatory fund. 7743

(D) (1) Except as provided in divisions (D) (2) and (3) of 7744  
this section, the board, subject to the approval of the 7745  
controlling board, may establish fees in excess of the amounts 7746  
provided by this chapter, provided that such fees do not exceed 7747  
the amounts permitted by this chapter by more than fifty per 7748  
cent. 7749

(2) Division (D) (1) of this section does not apply to fees 7750  
required by this chapter to be established at amounts adequate 7751



to cover designated expenses. 7752

(3) Fees established under division (D) (1) of this section 7753  
or described in division (D) (2) of this section are subject to 7754  
the limitation on fee increases specified in division (A) of 7755  
section 4729.83 of the Revised Code. 7756

(E) As used in this section, "forfeited bail" has the same 7757  
meaning as in section 2937.01 of the Revised Code. 7758

**Sec. 5503.04.** (A) Forty-five per cent of the fines 7759  
collected from or moneys arising from bail ~~forfeited~~ forfeiture 7760  
by persons apprehended or arrested by state highway patrol 7761  
troopers shall be paid into the state treasury to be credited to 7762  
the general revenue fund, five per cent shall be paid into the 7763  
state treasury to be credited to the trauma and emergency 7764  
medical services fund created by section 4513.263 of the Revised 7765  
Code, and fifty per cent shall be paid into the treasury of the 7766  
municipal corporation where the case is prosecuted, if in a 7767  
mayor's court. If the prosecution is in a trial court outside a 7768  
municipal corporation, or outside the territorial jurisdiction 7769  
of a municipal court, the fifty per cent of the fines and moneys 7770  
that is not paid into the state treasury shall be paid into the 7771  
treasury of the county where the case is prosecuted. The fines 7772  
and moneys paid into a county treasury and the fines and moneys 7773  
paid into the treasury of a municipal corporation shall be 7774  
deposited one-half to the same fund and expended in the same 7775  
manner as is the revenue received from the registration of motor 7776  
vehicles, and one-half to the general fund of such county or 7777  
municipal corporation. 7778

(B) If the prosecution is in a municipal court, forty-five 7779  
per cent of the fines and moneys shall be paid into the state 7780  
treasury to be credited to the general revenue fund, five per 7781

cent shall be paid into the state treasury to be credited to the 7782  
trauma and emergency medical services fund created by division 7783  
(E) of section 4513.263 of the Revised Code, ten per cent shall 7784  
be paid into the county treasury to be credited to the general 7785  
fund of the county, and forty per cent shall be paid into the 7786  
municipal treasury to be credited to the general fund of the 7787  
municipal corporation. In the Auglaize county, Clermont county, 7788  
Crawford county, Hocking county, Jackson county, Lawrence 7789  
county, Madison county, Miami county, Ottawa county, Portage 7790  
county, and Wayne county municipal courts, that portion of money 7791  
otherwise paid into the municipal treasury shall be paid into 7792  
the county treasury. 7793

(C) The trial court shall make remittance of the fines and 7794  
moneys as prescribed in this section, and at the same time as 7795  
the remittance is made of the state's portion to the state 7796  
treasury, the trial court shall notify the superintendent of the 7797  
state highway patrol of the case and the amount covered by the 7798  
remittance. 7799

(D) This section does not apply to fines for violations of 7800  
division (B) of section 4513.263 of the Revised Code, or for 7801  
violations of any municipal ordinance that is substantively 7802  
comparable to that division, all of which shall be delivered to 7803  
the treasurer of state as provided in division (E) of section 7804  
4513.263 of the Revised Code. 7805

(E) As used in this section, "bail forfeiture" has the 7806  
same meaning as in section 2937.01 of the Revised Code. 7807

**Section 2.** That existing sections 120.08, 122.014, 307.51, 7808  
307.511, 307.515, 1901.026, 1901.28, 1901.31, 1907.20, 1907.32, 7809  
2329.54, 2713.05, 2713.09, 2713.10, 2713.11, 2713.13, 2713.14, 7810  
2713.15, 2713.16, 2713.17, 2713.18, 2713.19, 2713.20, 2713.21, 7811

2713.22, 2713.23, 2713.24, 2713.25, 2713.26, 2715.25, 2725.18, 7812  
2743.70, 2746.02, 2907.41, 2919.251, 2925.01, 2925.02, 2925.03, 7813  
2925.04, 2925.041, 2925.05, 2925.11, 2935.10, 2935.13, 2935.14, 7814  
2935.27, 2937.01, 2937.03, 2937.08, 2937.09, 2937.15, 2937.16, 7815  
2937.17, 2937.222, 2937.23, 2937.24, 2937.25, 2937.26, 2937.27, 7816  
2937.28, 2937.281, 2937.29, 2937.30, 2937.33, 2937.34, 2937.35, 7817  
2937.36, 2937.37, 2937.39, 2937.40, 2937.41, 2937.45, 2937.46, 7818  
2941.58, 2949.091, 2949.093, 2949.094, 2949.111, 2953.31, 7819  
2963.13, 3319.292, 3719.21, 3772.01, 3772.36, 4501.11, 4506.01, 7820  
4506.16, 4509.01, 4509.35, 4510.01, 4510.03, 4511.01, 4513.37, 7821  
4729.65, and 5503.04 of the Revised Code are hereby repealed. 7822

**Section 3.** That sections 2937.22, 2937.31, 2937.32, and 7823  
2937.38 of the Revised Code are hereby repealed. 7824

**Section 4.** The General Assembly, applying the principle 7825  
stated in division (B) of section 1.52 of the Revised Code that 7826  
amendments are to be harmonized if reasonably capable of 7827  
simultaneous operation, finds that the following sections, 7828  
presented in this act as composites of the sections as amended 7829  
by the acts indicated, are the resulting versions of the 7830  
sections in effect prior to the effective date of the sections 7831  
as presented in this act: 7832

Section 1901.31 of the Revised Code as amended by both 7833  
H.B. 49 and S.B. 25 of the 132nd General Assembly. 7834

Section 2925.01 of the Revised Code as amended by H.B. 341 7835  
and H.B. 442 both of the 133rd General Assembly. 7836

Section 2925.02 of the Revised Code as amended by both 7837  
S.B. 1 and S.B. 201 of the 132nd General Assembly. 7838

Section 2925.03 of the Revised Code as amended by H.B. 7839  
111, S.B. 1, S.B. 201, and S.B. 229, all of the 132nd General 7840

Assembly.	7841
Section 2925.04 of the Revised Code as amended by both S.B. 1 and S.B. 201 of the 132nd General Assembly.	7842 7843
Section 2925.05 of the Revised Code as amended by both S.B. 1 and S.B. 201 of the 132nd General Assembly.	7844 7845
Section 2925.11 of the Revised Code as amended by S.B. 1, S.B. 201, and S.B. 229, all of the 132nd General Assembly.	7846 7847
Section 2937.23 of the Revised Code as amended by both H.B. 202 and S.B. 142 of the 123rd General Assembly.	7848 7849