

**As Reported by the Senate Government Oversight and Reform  
Committee**

**134th General Assembly**

**Regular Session  
2021-2022**

**H. B. No. 206**

**Representatives Ghanbari, O'Brien**

**Cosponsors: Representatives LaRe, Stein, Plummer, Hoops, Stephens, Abrams, Riedel, Seitz, Kick, Baldrige, Ginter, Click, Swearingen, Carfagna, Weinstein, Cutrona, White, Creech, Hall, Young, T., Jones, Brent, Johnson, Kelly, Miranda, Miller, A., Miller, J., Sheehy, John, Richardson, McClain, Carruthers, Stoltzfus, Gross, Fowler Arthur, Lampton, Ray, Loychik, Pavliga, Bird, Fraizer, Lanese, Sobecki, Upchurch, Robinson, Lightbody, Cross, Denson, Dean, Lepore-Hagan, Russo**

**Senator Schaffer**



**A BILL**

To amend sections 4513.35 and 4513.39 of the	1
Revised Code to permit a township police officer	2
who serves a population between 5,000 and 50,000	3
to enforce specified traffic offenses on	4
interstate highways within the township if	5
authorized by that township's board of trustees.	6

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

<b>Section 1.</b> That sections 4513.35 and 4513.39 of the	7
Revised Code be amended to read as follows:	8

<b>Sec. 4513.35.</b> (A) All fines collected under sections	9
4511.01 to 4511.78, 4511.99, and 4513.01 to 4513.37 of the	10
Revised Code shall be paid into the county treasury and, with	11
the exception of that portion distributed under section 307.515	12

of the Revised Code, shall be placed to the credit of the fund 13  
for the maintenance and repair of the highways within that 14  
county, except that: 15

(1) All fines for violations of division (B) of section 16  
4513.263 shall be delivered to the treasurer of state as 17  
provided in division (E) of section 4513.263 of the Revised 18  
Code. 19

(2) All fines collected from, or moneys arising from bonds 20  
forfeited by, persons apprehended or arrested by state highway 21  
patrol troopers shall be distributed as provided in section 22  
5503.04 of the Revised Code. 23

(3) (a) Subject to division (E) of section 4513.263 of the 24  
Revised Code and except as otherwise provided in division (A) (3) 25  
(b) of this section, one-half of all fines collected from, and 26  
one-half of all moneys arising from bonds forfeited by, persons 27  
apprehended or arrested by a township constable or other 28  
township police officer shall be paid to the township treasury 29  
to be placed to the credit of the general fund. 30

(b) All fines collected from, and all moneys arising from 31  
bonds forfeited by, persons apprehended or arrested by a 32  
township constable or other township police officer pursuant to 33  
division (B) (2) or (C) of section 4513.39 of the Revised Code 34  
for a violation of section 4511.21 of the Revised Code or any 35  
other law, ordinance, or regulation pertaining to speed that 36  
occurred on a highway that is part of the interstate system or 37  
otherwise part of the national highway system, shall be paid 38  
into the county treasury and be credited as provided in the 39  
first paragraph of this section. 40

(B) Notwithstanding any other provision of this section or 41

of any other section of the Revised Code: 42

(1) All fines collected from, and all moneys arising from 43  
bonds forfeited by, persons arrested under division (E) (1) or 44  
(2) of section 2935.03 of the Revised Code are deemed to be 45  
collected, and to arise, from arrests made within the 46  
jurisdiction in which the arresting officer is appointed, 47  
elected, or employed, for violations of one of the sections or 48  
chapters of the Revised Code listed in division (E) (1) of that 49  
section and shall be distributed accordingly. 50

(2) All fines collected from, and all moneys arising from 51  
bonds forfeited by, persons arrested under division (E) (3) of 52  
section 2935.03 of the Revised Code are deemed to be collected, 53  
and to arise, from arrests made within the jurisdiction in which 54  
the arresting officer is appointed, elected, or employed, for 55  
violations of municipal ordinances that are substantially 56  
equivalent to one of the sections or one of the provisions of 57  
one of the chapters of the Revised Code listed in division (E) 58  
(1) of that section and for violations of one of the sections or 59  
one of the provisions of one of the chapters of the Revised Code 60  
listed in division (E) (1) of that section, and shall be 61  
distributed accordingly. 62

**Sec. 4513.39.** (A) The state highway patrol and sheriffs or 63  
their deputies shall exercise, to the exclusion of all other 64  
peace officers, except within municipal corporations and except 65  
as specified in ~~division~~ divisions (B) and (C) of this section 66  
and division (E) of section 2935.03 of the Revised Code, the 67  
power to make arrests for violations on all state highways, of 68  
sections 4503.11, 4503.21, 4511.14 to 4511.16, 4511.20 to 69  
4511.23, 4511.26 to 4511.40, 4511.42 to 4511.48, 4511.58, 70  
4511.59, 4511.62 to 4511.71, 4513.03 to 4513.13, 4513.15 to 71

4513.22, 4513.24 to 4513.34, 4549.01, 4549.08 to 4549.12, and 72  
4549.62 of the Revised Code. 73

(B) A member of the police force of a township police 74  
district created under section 505.48 of the Revised Code or of 75  
a joint police district created under section 505.482 of the 76  
Revised Code, and a township constable appointed pursuant to 77  
section 509.01 of the Revised Code, who has received a 78  
certificate from the Ohio peace officer training commission 79  
under section 109.75 of the Revised Code, shall exercise the 80  
power to make arrests for violations of those sections listed in 81  
division (A) of this section, other than sections 4513.33 and 82  
4513.34 of the Revised Code, as follows: 83

(1) ~~If Except as specified in division (C) of this~~ 84  
~~section, if~~ the population of the township that created the 85  
township or joint police district served by the member's police 86  
force or the township that is served by the township constable 87  
is fifty thousand or less according to the most recent federal 88  
decennial census, the member or constable shall exercise that 89  
power on those portions of all state highways, including those 90  
highways that are part of the national highway system but that 91  
are not part of the interstate system, that are located within 92  
the township or joint police district, in the case of a member 93  
of a township or joint police district police force, or within 94  
the unincorporated territory of the township, in the case of a 95  
township constable. 96

(2) If the population of the township that created the 97  
township or joint police district served by the member's police 98  
force or the township that is served by the township constable 99  
is greater than fifty thousand according to the most recent 100  
federal decennial census, the member or constable shall exercise 101

that power on those portions of all state highways, including 102  
any highway that is a part of the interstate highway system or 103  
otherwise a part of the national highway system, that are 104  
located within the township or joint police district, in the 105  
case of a member of a township or joint police district police 106  
force, or within the unincorporated territory of the township, 107  
in the case of a township constable. 108

(C) If the population of the township that created the 109  
township or joint police district served by the member's police 110  
force or the township that is served by the township constable 111  
is between five thousand and fifty thousand according to the 112  
most recent federal decennial census, the township board of 113  
trustees may adopt, and may subsequently rescind, a resolution 114  
authorizing a member or constable to make arrests for violations 115  
of those sections listed in division (A) of this section, other 116  
than sections 4513.33 and 4513.34 of the Revised Code, on any 117  
highway that meets all of the following conditions: 118

(1) The highway is a part of the interstate highway 119  
system. 120

(2) The highway is located within the township or joint 121  
police district, in the case of a member of a township or joint 122  
police district police force, or within the unincorporated 123  
territory of the township, in the case of a township constable. 124

(3) (a) There is a permanent access point on and off the 125  
highway open to the general public for the member or constable 126  
to use that is located within the township or joint police 127  
district, in the case of a member of a township or joint police 128  
district police force, or within the unincorporated territory of 129  
the township, in the case of a township constable. 130

(b) An access point specified by division (C) (3) (a) of 131  
this section that is available as of the effective date of this 132  
section remains an available access point for a member or 133  
constable even if the territory in which the access point is 134  
located is subsequently annexed by a municipal corporation. 135

**Section 2.** That existing sections 4513.35 and 4513.39 of 136  
the Revised Code are hereby repealed. 137