

**As Introduced**

**127th General Assembly  
Regular Session  
2007-2008**

**H. B. No. 173**

**Representatives Seitz, Book**

—

**A B I L L**

To amend sections 107.08, 141.04, 1901.06, 1907.13, 1  
2301.01, 2501.02, 2503.01, 2743.191, 2743.70, and 2  
2949.111, to enact sections 145.2914, 2503.51, 3  
2503.52, 2503.53, 2503.54, 2503.55, and 2503.60 of 4  
the Revised Code to increase the compensation of 5  
justices and judges of the courts, to change the 6  
qualifications for all judges, to require the 7  
Supreme Court to establish a qualification program 8  
for candidates for judicial office, to create the 9  
Judicial Allotment Review Commission to study and 10  
review the allotment of judgeships in the courts 11  
for the purpose of recommending legislation to 12  
ensure the efficient and prompt administration of 13  
justice in Ohio, to create the Judicial 14  
Appointment Review Commission to make 15  
recommendations of persons to fill judicial 16  
vacancies, to specify that a portion of certain 17  
court costs currently deposited to the credit of 18  
the Reparations Fund be deposited in the fund for 19  
court security, and to make appropriations for 20  
court-related purposes. 21

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

Section 1. That sections 107.08, 141.04, 1901.06, 1907.13, 22  
2301.01, 2501.02, 2503.01, 2743.191, 2743.70, and 2949.111 be 23  
amended and sections 145.2914, 2503.51, 2503.52, 2503.53, 2503.54, 24  
2503.55, and 2503.60 of the Revised Code be enacted to read as 25  
follows: 26

Sec. 107.08. (A) The office of a judge is vacant at the 27  
expiration of the term of the incumbent when no person has been 28  
elected as the judge's successor. The vacancy shall be filled by 29  
appointment by the governor. If the appointment is to a court of 30  
appeals, court of common pleas, or municipal court, the clerk of 31  
the court shall give written notice to the board of elections 32  
responsible for conducting elections for that court of the name of 33  
the appointee. A successor shall be elected for the unexpired term 34  
at the first general election for the office that occurs more than 35  
forty days after the vacancy occurs. 36

(B) There is hereby created the judicial appointment review 37  
commission consisting of five, seven, nine, or eleven members as 38  
determined by the governor. The governor shall appoint a simple 39  
majority of the members of the commission and the chief justice 40  
shall appoint the remaining members after the governor has made 41  
all of the governor's appointments. In making appointments to the 42  
commission, the governor and chief justice shall consider the 43  
race, ethnicity, sex, and other characteristics of the individuals 44  
to be appointed in an effort to make the commission broadly 45  
representative of the population of the state. Not more than a 46  
simple majority of the members shall be attorneys, and not more 47  
than one-half of the members shall belong to the same political 48  
party. Of the initial appointees, the governor's appointees shall 49  
be appointed for terms of four years each, and the chief justice's 50  
shall be appointed for terms of two years each. Thereafter, all 51  
terms shall be four years. The governor shall appoint successors 52

to the governor's initial appointees, and the chief justice shall 53  
appoint successors to the chief justice's initial appointees. The 54  
governor shall select a chairperson from among the members, and 55  
the chairperson shall serve in that role at the pleasure of the 56  
governor. 57

Whenever the office of a judge becomes vacant before the 58  
expiration of the regular term for which the judge was elected or 59  
by the expiration of the term of the incumbent when no person has 60  
been elected as the judge's successor, the commission shall 61  
recommend to the governor three persons to fill the vacancy. In 62  
making a recommendation, the commission shall consider the length 63  
of time a person under consideration has practiced law, whether 64  
the person has been certified in a specialty area pursuant to the 65  
supreme court's rules for the government of the bar, the person's 66  
disciplinary history under the code of professional responsibility 67  
or rules of professional conduct adopted by the supreme court, 68  
comments received from the county bar associations and the 69  
chairpersons of the county central committees of the political 70  
parties in the county or district in which the judgeship is 71  
located, and any other factors the commission considers relevant. 72  
The governor may appoint one of the three recommended persons or 73  
another person to fill the vacancy. The governor shall not appoint 74  
to fill the vacancy a person who within two years before the 75  
appointment served on the commission. 76

The governor shall not fill a vacant judgeship for at least 77  
twenty days after the vacancy occurs. If within twenty days after 78  
the vacancy occurs the chief justice convenes a meeting of the 79  
judicial allotment review commission to consider the vacancy, the 80  
governor shall not fill the vacancy until the earliest of the date 81  
that is forty-five days after the day on which the commission 82  
meets, the date on which the commission issues a report pursuant 83  
to division (E) of section 2503.54 of the Revised Code, or the 84

date on which the general assembly specifically authorizes the 85  
governor to fill the vacancy. 86

**Sec. 141.04.** (A) The annual salaries of the chief justice of 87  
the supreme court and of the justices and judges named in this 88  
section payable from the state treasury are as follows, ~~rounded to~~ 89  
~~the nearest fifty dollars:~~ 90

(1) For the chief justice of the supreme court, the following 91  
amounts effective in the following years: 92

(a) Beginning January 1, ~~2000~~ 2008, one hundred ~~twenty-four~~ 93  
fifty-four thousand ~~nine~~ three hundred ninety-three dollars; 94

(b) Beginning January 1, ~~2001~~ 2009, one hundred ~~twenty-eight~~ 95  
sixty-two thousand ~~six hundred fifty~~ thirty-six dollars; 96

(c) Beginning January 1, 2010, one hundred sixty-nine 97  
thousand six hundred seventy-nine dollars; 98

(d) After 2001 2010, the amount determined under division 99  
(E)(1) of this section. 100

(2) For the justices of the supreme court, the following 101  
amounts effective in the following years: 102

(a) Beginning January 1, ~~2000~~ 2008, one hundred ~~seventeen~~ 103  
forty-five thousand ~~two~~ nine hundred fifty sixty-seven dollars; 104

(b) Beginning January 1, ~~2001~~ 2009, one hundred ~~twenty~~ 105  
fifty-four thousand ~~seven~~ one hundred fifty eighty-four dollars; 106

(c) Beginning January 1, 2010, one hundred sixty-two thousand 107  
four hundred one dollars; 108

(d) After 2001 2010, the amount determined under division 109  
(E)(1) of this section. 110

(3) For the judges of the courts of appeals, the following 111  
amounts effective in the following years: 112

(a) Beginning January 1, <del>2000</del> <u>2008</u> , one hundred <del>nine</del>	113
<u>thirty-five</u> thousand two hundred <del>fifty</del> <u>twelve</u> dollars;	114
(b) Beginning January 1, <del>2001</del> <u>2009</u> , one hundred <del>twelve</del>	115
<u>forty-two</u> thousand <del>five hundred fifty</del> <u>twenty-two</u> dollars;	116
(c) <u>Beginning January 1, 2010, one hundred forty-eight</u>	117
<u>thousand eight hundred thirty-six</u> dollars;	118
(d) After <del>2001</del> <u>2010</u> , the amount determined under division	119
(E)(1) of this section.	120
(4) For the judges of the courts of common pleas, the	121
following amounts effective in the following years:	122
(a) Beginning January 1, <del>2000</del> <u>2008</u> , one hundred <u>twenty-five</u>	123
thousand five hundred <u>seven</u> dollars, reduced by an amount equal to	124
the annual compensation paid to that judge from the county	125
treasury pursuant to section 141.05 of the Revised Code;	126
(b) Beginning January 1, <del>2001</del> <u>2009</u> , one hundred <del>three</del>	127
<u>thirty-two</u> thousand <del>five</del> <u>nine</u> hundred <u>sixty-four</u> dollars, reduced	128
by an amount equal to the annual compensation paid to that judge	129
from the county treasury pursuant to section 141.05 of the Revised	130
Code;	131
(c) <u>Beginning January 1, 2010, one hundred forty thousand</u>	132
<u>four hundred twenty-one</u> dollars;	133
(d) After <del>2001</del> <u>2010</u> , the aggregate annual salary amount	134
determined under division (E)(2) of this section reduced by an	135
amount equal to the annual compensation paid to that judge from	136
the county treasury pursuant to section 141.05 of the Revised	137
Code.	138
(5) For the full-time judges of a municipal court or the	139
part-time judges of a municipal court of a territory having a	140
population of more than fifty thousand, the following amounts	141
effective in the following years, which amounts shall be in	142

addition to all amounts received pursuant to divisions (B)(1)(a)	143
and (2) of section 1901.11 of the Revised Code from municipal	144
corporations and counties:	145
(a) Beginning January 1, <del>2000</del> <u>2008</u> , <del>thirty-two</del> <u>fifty-six</u>	146
thousand <del>six</del> <u>seven</u> hundred <del>fifty</del> <u>sixteen</u> dollars;	147
(b) Beginning January 1, <del>2001</del> <u>2009</u> , <del>thirty-five</del> <u>sixty-four</u>	148
thousand <del>five</del> <u>one</u> hundred <del>eighty-two</del> dollars;	149
(c) <u>Beginning January 1, 2010, seventy-one thousand six</u>	150
<u>hundred forty-eight dollars and forty-one cents;</u>	151
<u>(d) After <del>2001</del> <u>2010</u>, the amount determined under division</u>	152
(E)(3) of this section.	153
(6) For judges of a municipal court designated as part-time	154
judges by section 1901.08 of the Revised Code, other than	155
part-time judges to whom division (A)(5) of this section applies,	156
and for judges of a county court, the following amounts effective	157
in the following years, which amounts shall be in addition to any	158
amounts received pursuant to division (A) of section 1901.11 of	159
the Revised Code from municipal corporations and counties or	160
pursuant to division (A) of section 1907.16 of the Revised Code	161
from counties:	162
(a) Beginning January 1, <del>2000</del> <u>2008</u> , <del>eighteen</del> <u>thirty-two</u>	163
thousand <del>eight</del> <u>six</u> hundred <del>thirty-five</del> dollars;	164
(b) Beginning January 1, <del>2001</del> <u>2009</u> , <del>twenty</del> <u>thirty-six</u>	165
thousand <del>four</del> <u>nine</u> hundred <del>fifty</del> <u>twenty</u> dollars <u>and fifty-six</u>	166
<u>cents;</u>	167
(c) <u>Beginning January 1, 2010, forty-one thousand two hundred</u>	168
<u>five dollars;</u>	169
<u>(d) After <del>2001</del> <u>2010</u>, the amount determined under division</u>	170
(E)(4) of this section.	171
(B) Except as provided in section 1901.121 of the Revised	172

Code, except as otherwise provided in this division, and except 173  
for the compensation to which the judges described in division 174  
(A)(5) of this section are entitled pursuant to divisions 175  
(B)(1)(a) and (2) of section 1901.11 of the Revised Code, the 176  
annual salary of the chief justice of the supreme court and of 177  
each justice or judge listed in division (A) of this section shall 178  
be paid in equal monthly installments from the state treasury. If 179  
the chief justice of the supreme court or any justice or judge 180  
listed in division (A)(2), (3), or (4) of this section delivers a 181  
written request to be paid biweekly to the administrative director 182  
of the supreme court prior to the first day of January of any 183  
year, the annual salary of the chief justice or the justice or 184  
judge that is listed in division (A)(2), (3), or (4) of this 185  
section shall be paid, during the year immediately following the 186  
year in which the request is delivered to the administrative 187  
director of the supreme court, biweekly from the state treasury. 188

(C) Upon the death of the chief justice or a justice of the 189  
supreme court during that person's term of office, an amount shall 190  
be paid in accordance with section 2113.04 of the Revised Code, or 191  
to that person's estate. The amount shall equal the amount of the 192  
salary that the chief justice or justice would have received 193  
during the remainder of the unexpired term or an amount equal to 194  
the salary of office for two years, whichever is less. 195

(D) Neither the chief justice of the supreme court nor any 196  
justice or judge of the supreme court, the court of appeals, the 197  
court of common pleas, or the probate court shall hold any other 198  
office of trust or profit under the authority of this state or the 199  
United States. 200

(E)(1) Each calendar year ~~from 2002 through 2008~~ beginning in 201  
2007, the annual salaries of the chief justice of the supreme 202  
court and of the justices and judges named in divisions (A)(2) and 203  
(3) of this section shall be increased by an amount equal to the 204

adjustment percentage for that year multiplied by the compensation 205  
paid the preceding year pursuant to division (A)(1), (2), or (3) 206  
of this section. 207

(2) Each calendar year ~~from 2002 through 2008~~ beginning in 208  
2007, the aggregate annual salary payable under division (A)(4) of 209  
this section to the judges named in that division shall be 210  
increased by an amount equal to the adjustment percentage for that 211  
year multiplied by the aggregate compensation paid the preceding 212  
year pursuant to division (A)(4) of this section and section 213  
141.05 of the Revised Code. 214

(3) Each calendar year ~~from 2002 through 2008~~ beginning in 215  
2007, the salary payable from the state treasury under division 216  
(A)(5) of this section to the judges named in that division shall 217  
be increased by an amount equal to the adjustment percentage for 218  
that year multiplied by the aggregate compensation paid the 219  
preceding year pursuant to division (A)(5) of this section and 220  
division (B)(1)(a) of section 1901.11 of the Revised Code. 221

(4) Each calendar year ~~from 2002 through 2008~~ beginning in 222  
2007, the salary payable from the state treasury under division 223  
(A)(6) of this section to the judges named in that division shall 224  
be increased by an amount equal to the adjustment percentage for 225  
that year multiplied by the aggregate compensation paid the 226  
preceding year pursuant to division (A)(6) of this section and 227  
division (A) of section 1901.11 of the Revised Code from municipal 228  
corporations and counties or division (A) of section 1907.16 of 229  
the Revised Code from counties. 230

(5) For calendar years 2008, 2009, and 2010, the increases 231  
provided for in division (E) of this section are in addition to 232  
the increases provided for in division (A) of this section. 233

(F) In addition to the salaries payable pursuant to this 234  
section, the chief justice of the supreme court and the justices 235



of the supreme court shall be entitled to a vehicle allowance of 236  
five hundred dollars per month, payable from the state treasury. 237  
The allowance shall be increased on the first day of January of 238  
each odd numbered year by an amount equal to the percentage 239  
increase, if any, in the consumer price index for the immediately 240  
preceding twenty-four month period for which information is 241  
available. 242

(G) As used in this section: 243

(1) The "adjustment percentage" for a year is the ~~lesser~~ 244  
greater of the following: 245

(a) Three per cent; 246

(b) The percentage increase, if any, in the consumer price 247  
index over the twelve-month period that ends on the thirtieth day 248  
of September of the immediately preceding year, rounded to the 249  
nearest one-tenth of one per cent. 250

(2) "Consumer price index" has the same meaning as in section 251  
101.27 of the Revised Code. 252

(3) "Salary" does not include any portion of the cost, 253  
premium, or charge for health, medical, hospital, dental, or 254  
surgical benefits, or any combination of those benefits, covering 255  
the chief justice of the supreme court or a justice or judge named 256  
in this section and paid on the chief justice's or the justice's 257  
or judge's behalf by a governmental entity. 258

**Sec. 145.2914.** (A) If the general assembly abolishes a 259  
judgeship pursuant to section 2503.55 of the Revised Code and the 260  
judgeship is abolished under division (C)(2) of that section, the 261  
public employer that is responsible for the judicial office that 262  
is to be eliminated shall provide for a purchase of service on 263  
behalf of an individual who meets the requirements described in 264  
division (B) of this section and for payment of the entire cost of 265

the service credit to be purchased. 266

(B) To be eligible to receive the service credit described in 267  
this section, the individual who currently holds the judicial 268  
office that is to be abolished shall meet all of the following 269  
requirements: 270

(1) The individual shall be a member of the public employees 271  
retirement system. 272

(2) The individual shall be eligible to retire or will become 273  
eligible to retire as a result of purchasing the service credit. 274

(3) The individual shall agree to retire within ninety days 275  
after receiving notice of payment of the amount described in 276  
division (D) of this section. 277

(C) The employer shall purchase five years of service credit 278  
for an individual described in division (B) of this section. 279

(D) On receipt of a request from an individual eligible to 280  
receive the service credit described in this section, the system 281  
shall obtain from its actuary certification of the additional 282  
liability to the system for the amount of service credit described 283  
in division (C) of this section and shall notify the employer of 284  
such additional liability. The employer shall pay to the system an 285  
amount equal to the additional liability resulting from the 286  
purchase. 287

(E) On the election by an individual to receive the service 288  
credit described in this section, the individual and the employer 289  
shall agree upon a date for payment, or contracting for payment in 290  
installments, to the system the cost of the service credit to be 291  
purchased. The employer shall submit to the system a written 292  
request for determination of the cost of the service credit and, 293  
within forty-five days after receiving the request, the system 294  
shall provide written notice of the cost to the employer. 295

The employer shall pay, or contract to pay in installments, 296  
the cost of the service credit to be purchased on the date agreed 297  
to by the individual and the employer. The payment shall be made 298  
in accordance with rules adopted by the public employees 299  
retirement board. The rules may provide for payment in 300  
installments and for crediting the purchased service credit to the 301  
individual's account upon the employer's contracting to pay the 302  
cost in installments. The system shall notify the individual when 303  
the individual is credited with service purchased under this 304  
section. If the individual does not retire within ninety days 305  
after receiving notice that the individual has been credited with 306  
the purchased service credit, the system shall refund to the 307  
employer the amount paid for the service credit. 308

No payment made to the system under this section shall affect 309  
any payment required under section 145.48 of the Revised Code. 310

**Sec. 1901.06.** (A) A municipal judge during ~~his~~ the judge's 311  
term of office shall be a qualified elector and a resident of the 312  
territory of the court to which ~~he~~ the judge is elected or 313  
appointed. A municipal judge shall ~~have been admitted to the~~ 314  
~~practice of law in this state~~ be an attorney at law in good 315  
standing, shall be registered for active status with the supreme 316  
court, and shall have been, for a total of at least six years 317  
preceding ~~his~~ appointment or the commencement of ~~his~~ the judge's 318  
term, engaged in the practice of law in this state or served as a 319  
judge of a court of record in any jurisdiction in the United 320  
States, or both. 321

Except as provided in section 1901.08 of the Revised Code, 322  
the first election of any newly created office of a municipal 323  
judge shall be held at the next regular municipal election 324  
occurring not less than one hundred days after the creation of the 325  
office. The institution of a new municipal court shall take place 326

on the first day of January next after the first election for the court. 327  
328

(B) As used in this section, "engaged in the practice of law" 329  
means having had as a primary occupation one or a combination of 330  
two or more of the following occupations: 331

(1) Attorney at law in good standing and registered for 332  
active status with the supreme court; 333

(2) Professor of law at an accredited law school; 334

(3) Member of the general assembly if before becoming a 335  
member of the general assembly the member otherwise engaged in the 336  
practice of law in this state as a primary occupation; 337

(4) Any other occupation recognized as the practice of law by 338  
rules or decisions of the supreme court. 339

**Sec. 1907.13.** A county court judge, at the time of filing a 340  
nominating petition for the office or at the time of appointment 341  
to the office and during the judge's term of office, shall be a 342  
qualified elector and a resident of the county court district in 343  
which the judge is elected or appointed. A county court judge does 344  
not have to be a resident of an area of separate jurisdiction in 345  
the county court district to which the judge may be assigned 346  
pursuant to section 1907.15 of the Revised Code. Every county 347  
court judge shall be an attorney at law in good standing, shall be 348  
registered for active status with the supreme court, and shall 349  
have been admitted to the practice of law in this state and shall 350  
have been engaged, for a total of at least six years preceding the 351  
judge's appointment or the commencement of the judge's term, in 352  
the practice of law in this state, except that the six-year 353  
practice requirement does not apply to a county court judge who is 354  
holding office on the effective date of this amendment and who 355  
subsequently is a candidate for that office. 356

Judges shall be elected by the electors of the county court 357  
district at the general election in even-numbered years as set 358  
forth in section 1907.11 of the Revised Code for a term of six 359  
years commencing on the first day of January following the 360  
election for the county court or on the dates specified in section 361  
1907.11 of the Revised Code for particular county court judges. 362  
Their successors shall be elected in even-numbered years every six 363  
years. 364

All candidates for county court judge shall be nominated by 365  
petition. The nominating petition shall be in the general form and 366  
signed and verified as prescribed by section 3513.261 of the 367  
Revised Code and shall be signed by the lesser of fifty qualified 368  
electors of the county court district or a number of qualified 369  
electors of the county court district not less than one per cent 370  
of the number of electors who voted for governor at the most 371  
recent regular state election in the district. A nominating 372  
petition shall not be accepted for filing or filed if it appears 373  
on its face to contain signatures aggregating in number more than 374  
twice the minimum aggregate number of signatures required by this 375  
section. A nominating petition shall be filed with the board of 376  
elections not later than four p.m. of the seventy-fifth day before 377  
the day of the general election. 378

As used in this section, "engaged in the practice of law" 379  
means having had as a primary occupation one or a combination of 380  
two or more of the following occupations: 381

(A) Attorney at law in good standing registered for active 382  
status with the supreme court; 383

(B) Professor of law at an accredited law school; 384

(C) Member of the general assembly if before becoming a 385  
member of the general assembly the member otherwise engaged in the 386  
practice of law in this state as a primary occupation; 387

(D) Any other occupation recognized as the practice of law by 388  
rules or decisions of the supreme court. 389

**Sec. 2301.01.** (A) There shall be a court of common pleas in 390  
each county held by one or more judges, each of whom has been 391  
admitted to practice as an attorney at law in this state and has, 392  
for a total of at least six years preceding the judge's 393  
appointment or commencement of the judge's term, engaged in the 394  
practice of law in this state or served as a judge of a court of 395  
record in any jurisdiction in the United States, or both, resides 396  
in said county, and is elected by the electors therein. Each judge 397  
shall meet all of the following qualifications: 398

(1) Attorney at law in good standing and registered for 399  
active status with the supreme court; 400

(2) Preceding the judge's appointment or the commencement of 401  
the judge's term, either of the following: 402

(a) Engaging in the practice of law in this state for a total 403  
of at least ten years; 404

(b) Engaging in the practice of law in this state for a total 405  
of at least six years and service as a judge of a court of record 406  
in any jurisdiction of the United States for a total of at least 407  
six months. 408

(3) Residence in the county; 409

(4) Election by the electors of the county. 410

(B) Each judge shall be elected for six years at the general 411  
election immediately preceding the year in which the term, as 412  
provided in sections 2301.02 and 2301.03 of the Revised Code, 413  
commences, and the judge's successor shall be elected at the 414  
general election immediately preceding the expiration of such 415  
term. 416

(C) The board of county commissioners of a county in which 417

there is one judge of the court of common pleas and in which the 418  
population is less than fifty thousand may by resolution submit to 419  
the electors of the county the question of reducing the minimum 420  
number of years specified in division (A)(3)(a) of this section 421  
the judge shall have engaged in the practice of law in this state 422  
preceding the judge's appointment or commencement of the judge's 423  
term to any number less than ten but not less than six. The board 424  
of county commissioners shall certify the resolution to the board 425  
of elections of the county. The board of elections shall make the 426  
necessary arrangements for the submission of the question to the 427  
electors of the county. The question shall be submitted at the 428  
next general election occurring not less than forty-five days 429  
after the resolution is certified to the board of elections. 430  
Notice of the election shall be published in one or more 431  
newspapers of general circulation in the county once a week for 432  
four consecutive weeks prior to the election. If the electors 433  
approve the resolution, the reduction in the minimum number of 434  
years of practice shall apply to the judge elected at the next 435  
election for judge of the court of common pleas following approval 436  
of the resolution or to a judge appointed to fill a vacancy prior 437  
to that time. 438

(D) As used in this section, "engaging in the practice of 439  
law" means having had as a primary occupation one or a combination 440  
of two or more of the following occupations: 441

(1) Attorney at law in good standing and registered for 442  
active status with the supreme court; 443

(2) Professor of law at an accredited law school; 444

(3) Member of the general assembly if before becoming a 445  
member of the general assembly the member otherwise engaged in the 446  
practice of law in this state as a primary occupation; 447

(4) Any other occupation recognized as the practice of law by 448

rules or decisions of the supreme court. 449

**Sec. 2501.02.** Each judge of a court of appeals shall ~~have~~ 450  
~~been admitted to practice as an attorney at law in this state~~ be 451  
an attorney at law in good standing, shall be registered for 452  
active status with the supreme court, reside in the appellate 453  
district to which the judge is elected or appointed, and shall 454  
have, for a total of ~~six~~ twelve years preceding the judge's 455  
appointment or commencement of the judge's term, engaged in the 456  
practice of law in this state or served as a judge of a court of 457  
record in any jurisdiction in the United States, or both. One 458  
judge shall be chosen in each court of appeals district every two 459  
years, and shall hold office for six years, beginning on the ninth 460  
day of February next after the judge's election. 461

In addition to the original jurisdiction conferred by Section 462  
3 of Article IV, Ohio Constitution, the court shall have 463  
jurisdiction upon an appeal upon questions of law to review, 464  
affirm, modify, set aside, or reverse judgments or final orders of 465  
courts of record inferior to the court of appeals within the 466  
district, including the finding, order, or judgment of a juvenile 467  
court that a child is delinquent, neglected, abused, or dependent, 468  
for prejudicial error committed by such lower court. 469

The court, on good cause shown, may issue writs of 470  
supersedeas in any case, and all other writs, not specially 471  
provided for or prohibited by statute, necessary to enforce the 472  
administration of justice. 473

As used in this section, "engaged in the practice of law" 474  
means having had as a primary occupation one or a combination of 475  
two or more of the following occupations: 476

(A) Attorney at law in good standing and registered for 477  
active status with the supreme court; 478



(B) Professor of law at an accredited law school; 479

(C) Member of the general assembly if before becoming a 480  
member of the general assembly the member otherwise engaged in the 481  
practice of law in this state as a primary occupation; 482

(D) Any other occupation recognized as the practice of law by 483  
rules or decisions of the supreme court. 484

**Sec. 2503.01.** The supreme court shall consist of a chief 485  
justice and six justices<sup>7</sup>. The chief justice and each of whom has 486  
been admitted to practice as justice shall reside in this state, 487  
be an attorney at law in this state in good standing, be 488  
registered for active status with the supreme court, and has have, 489  
for a total of at least ~~six~~ fifteen years preceding ~~his~~ 490  
appointment or commencement of ~~his~~ the justice's term, engaged in 491  
the practice of law in this state or served as a judge of a court 492  
of record in any jurisdiction of the United States, or both. 493

As used in this section, "engaged in the practice of law" 494  
means having had as a primary occupation one or a combination of 495  
two or more of the following occupations: 496

(A) Attorney at law in good standing and registered for 497  
active status with the supreme court; 498

(B) Professor of law at an accredited law school; 499

(C) Member of the general assembly if before becoming a 500  
member of the general assembly the member otherwise engaged in the 501  
practice of law in this state as a primary occupation; 502

(D) Any other occupation recognized as the practice of law by 503  
rules or decisions of the supreme court. 504

**Sec. 2503.51.** (A) The supreme court shall by rule establish a 505  
judicial candidate qualification program to ensure that a 506  
candidate for the office of judge of a municipal court, county 507

court, court of common pleas, court of appeals, or the supreme 508  
court is professionally qualified for the office. The rules shall 509  
include a requirement that every candidate, within five years 510  
before the date of the general election for the office to which 511  
the candidate seeks election, attend a course or courses approved 512  
by the supreme court totaling at least forty hours and covering 513  
civil and criminal procedure, the Ohio Rules of Evidence, 514  
constitutional law, judicial demeanor and decorum, and any other 515  
subjects that the supreme court may require. The rules may provide 516  
for any of the following: 517

(1) That designated courses taken to meet continuing legal 518  
education requirements established by the supreme court apply 519  
toward the hours of education required by the judicial candidate 520  
qualification program; 521

(2) That each candidate for a particular type of judge take 522  
courses required for all judicial candidates and courses required 523  
only for candidates for that particular type of judge and that a 524  
candidate for a particular judicial office take one or more 525  
courses in specific areas of law not required of all candidates 526  
for judicial office; 527

(3) An exemption from all or part of the hours of course work 528  
for a candidate who has been certified as a specialist pursuant to 529  
rules adopted by the supreme court if the certification is in an 530  
area of law that is directly pertinent to the judicial office to 531  
which the candidate seeks election. 532

(B) The educational qualifications set forth under division 533  
(A) of this section do not apply to a candidate who has already 534  
held the office to which the candidate seeks election or to a 535  
candidate for the office of judge of any division of a court of 536  
common pleas who has already held the office of judge of any 537  
division of a court of common pleas. 538

(C) The supreme court by rule may require that a person who 539  
is appointed to the office of judge meet the educational 540  
qualifications set forth under division (A) of this section, may 541  
exempt a candidate for judge or a person appointed to a judgeship 542  
from meeting those qualifications, and may delay the date by which 543  
a candidate or appointee must meet those qualifications if a 544  
candidate is a replacement for a candidate who died shortly before 545  
the election or if other exigent circumstances exist. 546

(D) A candidate for the office of judge of a municipal court, 547  
county court, court of common pleas, court of appeals, or the 548  
supreme court, not later than seventy-five days before the date of 549  
the general election for the office to which the candidate seeks 550  
election, shall present to the board of elections or to the 551  
secretary of state, as applicable, a document from the supreme 552  
court certifying that the candidate has met the educational 553  
qualifications required by division (A) of this section or stating 554  
that the candidate is exempt from meeting those qualifications 555  
before the election. 556

**Sec. 2503.52. (A) There is hereby created the judicial** 557  
**allotment review commission consisting of nineteen members, one of** 558  
**whom shall be the chief justice of the supreme court, and the** 559  
**remaining to be appointed in the following manner:** 560

(1) The speaker of the house of representatives shall appoint 561  
two members who shall be members of the house of representatives, 562  
one of whom the speaker shall appoint upon the recommendation of 563  
the minority leader of the house of representatives. 564

(2) The president of the senate shall appoint two members who 565  
shall be members of the senate, one of whom the president of the 566  
senate shall appoint upon the recommendation of the minority 567  
leader of the senate. 568

(3) The chief justice of the supreme court shall appoint 569

eight members as follows: 570

(a) Two members who are judges of the court of appeals and 571  
who are chosen from a list of four nominees submitted by the Ohio 572  
court of appeals judges association; 573

(b) Four members who are judges of the court of common pleas, 574  
of which one is chosen from a list of two nominees submitted by 575  
the Ohio common pleas judges association, one is chosen from a 576  
list of two nominees submitted by the Ohio association of juvenile 577  
court judges, one is chosen from a list of two nominees submitted 578  
by the Ohio association of domestic relations judges, and one is 579  
chosen from a list of two nominees submitted by the Ohio 580  
association of probate judges; 581

(c) Two members who are judges of the municipal court or 582  
county court and who are chosen from a list of four nominees 583  
submitted by the association of municipal/county judges of Ohio. 584

(4) The governor shall appoint four members as follows: 585

(a) One member who is a county commissioner and who is 586  
appointed upon the nomination of the county commissioners 587  
association of Ohio; 588

(b) One member who is appointed upon the nomination of the 589  
Ohio municipal league; 590

(c) Two members who have been admitted to and are engaged in 591  
the practice of law in Ohio and who are appointed upon the 592  
nomination of the Ohio state bar association. 593

(5) The chairperson of the Ohio judicial conference shall 594  
appoint two members. 595

(B) The initial appointments of members to the commission as 596  
provided in division (A) of this section shall be made within 597  
ninety days after the effective date of this section. Upon the 598  
appointment of the initial members of the commission, the 599

commission shall proceed to conduct its business pursuant to 600  
sections 2503.53 to 2503.55 of the Revised Code. The term of 601  
office of each initial member of the commission ends upon the 602  
submission of the commission's report pursuant to section 2503.55 603  
of the Revised Code. Any vacancy in the commission shall be filled 604  
in the manner provided for the original appointment. 605

(C) The subsequent appointments of new members to the 606  
commission as provided in division (A) of this section shall be 607  
made within thirty days after April 1 in the year 2011 and within 608  
thirty days after April 1 in every tenth year after the year 2011. 609  
Upon the subsequent appointment of new members of the commission, 610  
the commission shall proceed to conduct its business pursuant to 611  
this section and sections 2503.53 to 2503.55 of the Revised Code. 612  
The term of office of each subsequently appointed member of the 613  
commission ends upon the submission of the report of the 614  
commission that was prepared while the subsequently appointed 615  
member was a member of the commission. This section and sections 616  
2503.53 to 2503.55 of the Revised Code, insofar as applicable, 617  
apply to the commission each time the new members are appointed to 618  
the commission pursuant to this division. 619

**Sec. 2503.53.** (A) The chief justice of the supreme court 620  
shall serve as the chairperson of the judicial allotment review 621  
commission. The members of the commission shall meet and perform 622  
their duties and functions as provided in this section and 623  
sections 2503.54 and 2503.55 of the Revised Code. The initial 624  
meeting of the commission shall convene on a date designated by 625  
the chief justice after the initial appointment of the members of 626  
the commission as provided in division (B) of section 2503.52 of 627  
the Revised Code, and the first meeting of each group of 628  
subsequently appointed members of the commission shall convene on 629  
a date designated by the chief justice after each subsequent 630  
appointment of new members to the commission as provided in 631

division (C) of that section. The chief justice, upon notice to 632  
the governor, may convene a meeting within twenty days after a 633  
judgeship becomes vacant to consider the need for continuing that 634  
judgeship. The chief justice or a designee of the chief justice 635  
shall convene every meeting of the commission. A majority of the 636  
members of the commission shall constitute a quorum. 637

(B) The supreme court shall reimburse the members of the 638  
commission for any actual and necessary expenses incurred in the 639  
performance of their duties and functions under this section and 640  
sections 2503.54 and 2503.55 of the Revised Code. 641

(C) The supreme court may provide any professional, 642  
technical, or clerical employees that are necessary for the 643  
commission to perform its duties and functions. 644

**Sec. 2503.54.** (A) As used in this section and section 2503.55 645  
of the Revised Code: 646

(1) "Court" means the court of appeals; the general division, 647  
probate division, domestic relations division, or juvenile 648  
division of the court of common pleas; the municipal court; or the 649  
county court; whichever is applicable. 650

(2) "Cases" mean civil cases, criminal cases, and traffic 651  
cases. 652

(3) "Caseload" means the number of civil cases, criminal 653  
cases, and traffic cases that are assigned to an individual judge 654  
of a court. 655

(B) The judicial allotment review commission shall study and 656  
review the allotment of judgeships for each court, in relation to 657  
the number of cases filed in the court and the disposition of 658  
those cases, for the purpose of making recommendations to the 659  
general assembly for enactment of legislation to ensure the 660  
efficient, prompt, and sure administration of justice in this 661

state. 662

(C) In studying and reviewing the allotment of judgeships for 663  
each court under this section and making its recommendations to 664  
the general assembly under section 2503.55 of the Revised Code, 665  
the commission shall consider all of the following that are 666  
applicable to a particular court: 667

(1) The number and types of cases that were filed in the 668  
court in the preceding five years, the number and types of those 669  
cases that were assigned to each judge of that court, and the 670  
ranking of these numbers and types in comparison to other courts 671  
in the state of similar size and jurisdiction; 672

(2) The number and types of cases assigned to each judge of 673  
the court that are currently pending and the comparative ranking 674  
of these numbers and types in comparison to other courts in the 675  
state of similar size and jurisdiction; 676

(3) Any increase, decrease, or other changes in the caseload 677  
of each judge of the court in the preceding five years and the 678  
comparative ranking of the caseload of the judges of that court in 679  
relation to any increase, decrease, or other changes in the 680  
caseload of each judge of other courts in the state of similar 681  
size and jurisdiction; 682

(4) Any standards established by the supreme court for 683  
manageable workloads or caseloads; 684

(5) The frequency with which the court has requested or 685  
received temporary assignments of an additional judge or 686  
additional judges in the preceding five years; 687

(6) The number of trial judges in relation to each judge of 688  
the court of appeals within the district of that court of appeals; 689

(7) The population growth and density in the area in which 690  
the court has territorial jurisdiction; 691

(8) In the case of courts of appeals, the population of each court of appeals district, the number of counties that constitute the district, the number of days in which cases are heard in counties within the district other than the county that is the principal seat of the court of appeals or the county in which the court of appeals primarily holds court, and the time spent for the judges to travel to those other counties for purposes of hearing cases; 692  
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(9) Whether the area in which the court has territorial jurisdiction is urban or rural in character; 700  
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(10) The presence of any state or local government institutions in the area in which the court has territorial jurisdiction; 702  
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(11) Any new legislation, events, or court litigation that may have an impact on the caseload or administrative workload of a court; 705  
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(12) Any information or recommendations provided by a county or municipal legislative authority that funds the court or by a bar association that operates within the territorial jurisdiction of the court regarding the creation of judgeships for or elimination of judgeships from the court; 708  
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(13) Any other factors that the commission may consider relevant in reviewing the allotment of judgeships for the purpose of making its recommendations to the general assembly under section 2503.55 of the Revised Code. 713  
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(D) If the population of the area in which a court has territorial jurisdiction increases by twenty per cent between April 1, 2011, and April 1, 2021, and between the first day of April of the first year and the first day of April of the tenth year of each ten-year period after 2021, the judges of that court may request of the general assembly that one additional judgeship 717  
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be established for that court. 723

(E) If the chief justice convenes a meeting of the commission 724  
to consider the need for continuing a particular judgeship that 725  
has become vacant, the commission shall within forty-five days 726  
after the meeting prepare a report on the need for continuing the 727  
judgeship and submit the report to the governor, the supreme 728  
court, and the general assembly. 729

**Sec. 2503.55.** (A) On or before December 31, 2007, then on or 730  
before April 1 in the year 2012, and then on or before April 1 in 731  
every tenth year after the year 2012, as applicable, the judicial 732  
allotment review commission shall prepare a report and submit it 733  
to the supreme court and to the general assembly. The report shall 734  
include the commission's conclusions regarding its study and 735  
review of the allotment of judgeships for each court under section 736  
2503.54 of the Revised Code and its recommendations based on those 737  
conclusions. The recommendations may include, but are not limited 738  
to, enacting legislation to increase or decrease the number of 739  
judgeships of a court or to change the status of a judgeship of a 740  
court from part-time to full-time. 741

(B) If the members of the commission do not unanimously agree 742  
on the recommendations that are to be included in the report 743  
described in division (A) of this section, the commission shall 744  
determine by a majority vote of the members the specific 745  
recommendations that are to be included in that report. The 746  
members who vote against the inclusion of any of the 747  
recommendations in the report may submit a minority report to the 748  
supreme court and the general assembly that includes the specific 749  
recommendations of those members. 750

(C)(1) In enacting legislation to implement a recommendation 751  
of the commission to abolish a judgeship, the general assembly 752  
shall designate only the court and, in the case of a court of 753

common pleas or municipal court, the division, if any, of the 754  
court a judgeship of which is to be abolished. The judgeship 755  
abolished shall be the first judgeship of the court or division 756  
that becomes vacant within five years after the effective date of 757  
this section by reason of the death, resignation, retirement, 758  
removal, or failure to seek reelection of a judge of the court or 759  
division. 760

(2) If no judgeship becomes vacant within five years after 761  
the effective date of the act, the judgeship abolished shall be 762  
the most recently created judgeship of the court or division. If 763  
the term of office of the abolished judgeship began before the 764  
effective date of this section, the judgeship shall be abolished 765  
whenever it becomes vacant or at the end of the term. If the term 766  
of office of the abolished judgeship began after the effective 767  
date of the act, the judgeship shall be abolished whenever it 768  
becomes vacant or at the end of five years from the effective date 769  
of this section. 770

**Sec. 2503.60.** There is hereby created in the state treasury 771  
the supreme court security fund. The supreme court shall use the 772  
money in the supreme court security fund to fund court security 773  
projects. The treasurer of state shall deposit in the fund the 774  
portion of court costs paid pursuant to section 2743.70 of the 775  
Revised Code that is mandated by that section to be deposited in 776  
the fund. The supreme court shall adopt guidelines to govern 777  
disbursements from the fund. 778

**Sec. 2743.191.** (A)(1) There is hereby created in the state 779  
treasury the reparations fund, which shall be used only for the 780  
following purposes: 781

(a) The payment of awards of reparations that are granted by 782  
the attorney general; 783

(b) The compensation of any personnel needed by the attorney general to administer sections 2743.51 to 2743.72 of the Revised Code;	784 785 786
(c) The compensation of witnesses as provided in division (J) of section 2743.65 of the Revised Code;	787 788
(d) Other administrative costs of hearing and determining claims for an award of reparations by the attorney general;	789 790
(e) The costs of administering sections 2907.28 and 2969.01 to 2969.06 of the Revised Code;	791 792
(f) The costs of investigation and decision-making as certified by the attorney general;	793 794
(g) The provision of state financial assistance to victim assistance programs in accordance with sections 109.91 and 109.92 of the Revised Code;	795 796 797
(h) The costs of paying the expenses of sex offense-related examinations and antibiotics pursuant to section 2907.28 of the Revised Code;	798 799 800
(i) The cost of printing and distributing the pamphlet prepared by the attorney general pursuant to section 109.42 of the Revised Code;	801 802 803
(j) Subject to division (D) of section 2743.71 of the Revised Code, the costs associated with the printing and providing of information cards or other printed materials to law enforcement agencies and prosecuting authorities and with publicizing the availability of awards of reparations pursuant to section 2743.71 of the Revised Code;	804 805 806 807 808 809
(k) The payment of costs of administering a DNA specimen collection procedure pursuant to sections 2152.74 and 2901.07 of the Revised Code, of performing DNA analysis of those DNA specimens, and of entering the resulting DNA records regarding	810 811 812 813

those analyses into the DNA database pursuant to section 109.573 814  
of the Revised Code; 815

(1) The payment of actual costs associated with initiatives 816  
by the attorney general for the apprehension, prosecution, and 817  
accountability of offenders, and the enhancing of services to 818  
crime victims. The amount of payments made pursuant to division 819  
(A)(1)(1) of this section during any given fiscal year shall not 820  
exceed five per cent of the balance of the reparations fund at the 821  
close of the immediately previous fiscal year; 822

(m) The costs of administering the adult parole authority's 823  
supervision pursuant to division (E) of section 2971.05 of the 824  
Revised Code of sexually violent predators who are sentenced to a 825  
prison term pursuant to division (A)(3) of section 2971.03 of the 826  
Revised Code, of offenders who are sentenced to a prison term 827  
pursuant to division (B)(1)(a), (b), or (c) of that section for a 828  
violation of division (A)(1)(b) of section 2907.02 of the Revised 829  
Code, and of offenders who are sentenced to a prison term pursuant 830  
to division (B)(2)(a), (b), or (c) of section 2971.03 of the 831  
Revised Code for attempted rape and a specification of the type 832  
described in section 2941.1418, 2941.1419, or 2941.1420 of the 833  
Revised Code. 834

(2) ~~All~~ The portion of costs paid pursuant to section 2743.70 835  
of the Revised Code that is mandated by that section to be 836  
deposited in the fund, the portions of license reinstatement fees 837  
mandated by division (F)(2)(b) of section 4511.191 of the Revised 838  
Code to be credited to the fund, the portions of the proceeds of 839  
the sale of a forfeited vehicle specified in division (C)(2) of 840  
section 4503.234 of the Revised Code, payments collected by the 841  
department of rehabilitation and correction from prisoners who 842  
voluntarily participate in an approved work and training program 843  
pursuant to division (C)(8)(b)(ii) of section 5145.16 of the 844  
Revised Code, and all moneys collected by the state pursuant to 845

its right of subrogation provided in section 2743.72 of the Revised Code shall be deposited in the fund.

(B) In making an award of reparations, the attorney general shall render the award against the state. The award shall be accomplished only through the following procedure, and the following procedure may be enforced by writ of mandamus directed to the appropriate official:

(1) The attorney general shall provide for payment of the claimant or providers in the amount of the award only if the amount of the award is fifty dollars or more.

(2) The expense shall be charged against all available unencumbered moneys in the fund.

(3) If sufficient unencumbered moneys do not exist in the fund, the attorney general shall make application for payment of the award out of the emergency purposes account or any other appropriation for emergencies or contingencies, and payment out of this account or other appropriation shall be authorized if there are sufficient moneys greater than the sum total of then pending emergency purposes account requests or requests for releases from the other appropriations.

(4) If sufficient moneys do not exist in the account or any other appropriation for emergencies or contingencies to pay the award, the attorney general shall request the general assembly to make an appropriation sufficient to pay the award, and no payment shall be made until the appropriation has been made. The attorney general shall make this appropriation request during the current biennium and during each succeeding biennium until a sufficient appropriation is made. If, prior to the time that an appropriation is made by the general assembly pursuant to this division, the fund has sufficient unencumbered funds to pay the award or part of the award, the available funds shall be used to pay the award or

part of the award, and the appropriation request shall be amended 877  
to request only sufficient funds to pay that part of the award 878  
that is unpaid. 879

(C) The attorney general shall not make payment on a decision 880  
or order granting an award until all appeals have been determined 881  
and all rights to appeal exhausted, except as otherwise provided 882  
in this section. If any party to a claim for an award of 883  
reparations appeals from only a portion of an award, and a 884  
remaining portion provides for the payment of money by the state, 885  
that part of the award calling for the payment of money by the 886  
state and not a subject of the appeal shall be processed for 887  
payment as described in this section. 888

(D) The attorney general shall prepare itemized bills for the 889  
costs of printing and distributing the pamphlet the attorney 890  
general prepares pursuant to section 109.42 of the Revised Code. 891  
The itemized bills shall set forth the name and address of the 892  
persons owed the amounts set forth in them. 893

(E) As used in this section, "DNA analysis" and "DNA 894  
specimen" have the same meanings as in section 109.573 of the 895  
Revised Code. 896

**Sec. 2743.70.** (A)(1) The court, in which any person is 897  
convicted of or pleads guilty to any offense other than a traffic 898  
offense that is not a moving violation, shall impose the following 899  
sum as costs in the case in addition to any other court costs that 900  
the court is required by law to impose upon the offender: 901

(a) Thirty dollars, if the offense is a felony; 902

(b) Nine dollars, if the offense is a misdemeanor. 903

The court shall not waive the payment of the thirty or nine 904  
dollars court costs, unless the court determines that the offender 905  
is indigent and waives the payment of all court costs imposed upon 906

the indigent offender. ~~All such moneys~~ Twenty-eight dollars of the 907  
court costs if the offense is a felony and seven dollars of the 908  
court costs if the offense is a misdemeanor shall be transmitted 909  
on the first business day of each month by the clerk of the court 910  
to the treasurer of state and deposited by the treasurer in the 911  
reparations fund. The clerk of the court shall transmit two 912  
dollars of the court costs on the first business day of each month 913  
to the treasurer of state, and the treasurer shall deposit that 914  
money in the supreme court security fund created by section 915  
2503.60 of the Revised Code. 916

(2) The juvenile court in which a child is found to be a 917  
delinquent child or a juvenile traffic offender for an act which, 918  
if committed by an adult, would be an offense other than a traffic 919  
offense that is not a moving violation, shall impose the following 920  
sum as costs in the case in addition to any other court costs that 921  
the court is required or permitted by law to impose upon the 922  
delinquent child or juvenile traffic offender: 923

(a) Thirty dollars, if the act, if committed by an adult, 924  
would be a felony; 925

(b) Nine dollars, if the act, if committed by an adult, would 926  
be a misdemeanor. 927

The thirty or nine dollars court costs shall be collected in 928  
all cases unless the court determines the juvenile is indigent and 929  
waives the payment of all court costs, or enters an order on its 930  
journal stating that it has determined that the juvenile is 931  
indigent, that no other court costs are to be taxed in the case, 932  
and that the payment of the thirty or nine dollars court costs is 933  
waived. ~~All such moneys~~ Twenty-eight dollars of the court costs if 934  
the act if committed by an adult would be a felony and seven 935  
dollars of the court costs if the act if committed by an adult 936  
would be a misdemeanor collected during a month shall be 937  
transmitted on or before the twentieth day of the following month 938

by the clerk of the court to the treasurer of state and deposited 939  
by the treasurer in the reparations fund. The clerk of the court 940  
shall transmit on or before the twentieth day of the following 941  
month to the treasurer of state two dollars of the court costs 942  
collected in each case during a month, and the treasurer shall 943  
deposit that money in the supreme court security fund created by 944  
section 2503.60 of the Revised Code. 945

(B) Whenever a person is charged with any offense other than 946  
a traffic offense that is not a moving violation and posts bail 947  
pursuant to sections 2937.22 to 2937.46 of the Revised Code, 948  
Criminal Rule 46, or Traffic Rule 4, the court shall add to the 949  
amount of the bail the thirty or nine dollars required to be paid 950  
by division (A)(1) of this section. The thirty or nine dollars 951  
shall be retained by the clerk of the court until the person is 952  
convicted, pleads guilty, forfeits bail, is found not guilty, or 953  
has the charges dismissed. If the person is convicted, pleads 954  
guilty, or forfeits bail, the clerk shall transmit twenty-eight of 955  
the thirty or seven of the nine dollars to the treasurer of state, 956  
who shall deposit it in the reparations fund, and the clerk shall 957  
transmit two of the thirty or nine dollars to the treasurer of 958  
state, who shall deposit that money in the supreme court security 959  
fund created by section 2503.60 of the Revised Code. If the person 960  
is found not guilty or the charges are dismissed, the clerk shall 961  
return the thirty or nine dollars to the person. 962

(C) No person shall be placed or held in jail for failing to 963  
pay the additional thirty or nine dollars court costs or bail that 964  
are required to be paid by this section. 965

(D) As used in this section: 966

(1) "Moving violation" means any violation of any statute or 967  
ordinance, other than section 4513.263 of the Revised Code or an 968  
ordinance that is substantially equivalent to that section, that 969  
regulates the operation of vehicles, streetcars, or trackless 970



trolleys on highways or streets or that regulates size or load 971  
limitations or fitness requirements of vehicles. "Moving 972  
violation" does not include the violation of any statute or 973  
ordinance that regulates pedestrians or the parking of vehicles. 974

(2) "Bail" means cash, a check, a money order, a credit card, 975  
or any other form of money that is posted by or for an offender 976  
pursuant to sections 2937.22 to 2937.46 of the Revised Code, 977  
Criminal Rule 46, or Traffic Rule 4 to prevent the offender from 978  
being placed or held in a detention facility, as defined in 979  
section 2921.01 of the Revised Code. 980

**Sec. 2949.111.** (A) As used in this section: 981

(1) "Court costs" means any assessment that the court 982  
requires an offender to pay to defray the costs of operating the 983  
court. 984

(2) "State fines or costs" means any costs imposed or 985  
forfeited bail collected by the court under section 2743.70 of the 986  
Revised Code for deposit into the reparations fund or supreme 987  
court security fund or under section 2949.091 of the Revised Code 988  
for deposit into the general revenue fund and all fines, 989  
penalties, and forfeited bail collected by the court and paid to a 990  
law library association under sections 3375.50 to 3375.53 of the 991  
Revised Code. 992

(3) "Reimbursement" means any reimbursement for the costs of 993  
confinement that the court orders an offender to pay pursuant to 994  
section 2929.28 of the Revised Code, any supervision fee, any fee 995  
for the costs of house arrest with electronic monitoring that an 996  
offender agrees to pay, any reimbursement for the costs of an 997  
investigation or prosecution that the court orders an offender to 998  
pay pursuant to section 2929.71 of the Revised Code, or any other 999  
costs that the court orders an offender to pay. 1000

(4) "Supervision fees" means any fees that a court, pursuant to sections 2929.18, 2929.28, and 2951.021 of the Revised Code, requires an offender who is under a community control sanction to pay for supervision services.

(5) "Community control sanction" has the same meaning as in section 2929.01 of the Revised Code.

(B) Unless the court, in accordance with division (C) of this section, enters in the record of the case a different method of assigning payments, if a person who is charged with a misdemeanor is convicted of or pleads guilty to the offense, if the court orders the offender to pay any combination of court costs, state fines or costs, restitution, a conventional fine, or any reimbursement, and if the offender makes any payment of any of them to a clerk of court, the clerk shall assign the offender's payment in the following manner:

(1) If the court ordered the offender to pay any court costs, the offender's payment shall be assigned toward the satisfaction of those court costs until they have been entirely paid.

(2) If the court ordered the offender to pay any state fines or costs and if all of the court costs that the court ordered the offender to pay have been paid, the remainder of the offender's payment shall be assigned on a pro rata basis toward the satisfaction of the state fines or costs until they have been entirely paid.

(3) If the court ordered the offender to pay any restitution and if all of the court costs and state fines or costs that the court ordered the offender to pay have been paid, the remainder of the offender's payment shall be assigned toward the satisfaction of the restitution until it has been entirely paid.

(4) If the court ordered the offender to pay any fine and if all of the court costs, state fines or costs, and restitution that

the court ordered the offender to pay have been paid, the 1032  
remainder of the offender's payment shall be assigned toward the 1033  
satisfaction of the fine until it has been entirely paid. 1034

(5) If the court ordered the offender to pay any 1035  
reimbursement and if all of the court costs, state fines or costs, 1036  
restitution, and fines that the court ordered the offender to pay 1037  
have been paid, the remainder of the offender's payment shall be 1038  
assigned toward the satisfaction of the reimbursements until they 1039  
have been entirely paid. 1040

(C) If a person who is charged with a misdemeanor is 1041  
convicted of or pleads guilty to the offense and if the court 1042  
orders the offender to pay any combination of court costs, state 1043  
fines or costs, restitution, fines, or reimbursements, the court, 1044  
at the time it orders the offender to make those payments, may 1045  
prescribe an order of payments that differs from the order set 1046  
forth in division (B) of this section by entering in the record of 1047  
the case the order so prescribed. If a different order is entered 1048  
in the record, on receipt of any payment, the clerk of the court 1049  
shall assign the payment in the manner prescribed by the court. 1050

**Section 2.** That existing sections 107.08, 141.04, 1901.06, 1051  
1907.13, 2301.01, 2501.02, 2503.01, 2743.191, 2743.70, and 1052  
2949.111 of the Revised Code are hereby repealed. 1053

**Section 3.** The qualifications for office for judges of 1054  
municipal courts, county courts, courts of common pleas, courts of 1055  
appeals, and the Supreme Court that were in effect on the date 1056  
immediately preceding the effective date of this act shall remain 1057  
unchanged for each judge in any of those courts until the end of 1058  
that term of that judge. The new qualifications for office for 1059  
judges of municipal courts, county courts, courts of common pleas, 1060  
courts of appeals, and the Supreme Court provided in this act 1061

shall take effect for each judgeship in each of those courts when 1062  
a judge is elected to that judgeship on or after the effective 1063  
date of this act. 1064

**Section 4.** All items in this section are hereby appropriated 1065  
as designated out of any moneys in the state treasury to the 1066  
credit of the General Revenue Fund and State Special Revenue Fund 1067  
Group. For all appropriations made in this act, the amounts in the 1068  
first column are for fiscal year 2008, and the amounts in the 1069  
second column are for fiscal year 2009. The appropriations made in 1070  
this act are in addition to any other appropriations made for the 1071  
2007-2009 biennium. 1072

JSC THE JUDICIARY/SUPREME COURT 1073

General Revenue Fund 1074

GRF 005-321 Operating Expenses - \$ 3,028,499 \$ 9,239,769 1075  
Judiciary/Supreme  
Court

TOTAL GRF General Revenue Fund \$ 3,028,499 \$ 9,239,769 1076

State Special Revenue Fund Group 1077

5DD 005-612 Supreme Court Security \$ 3,800,000 \$ 3,800,000 1078

TOTAL SSR State Special Revenue \$ 3,800,000 \$ 3,800,000 1079

Fund Group

TOTAL ALL BUDGET FUND GROUPS \$ 6,828,499 \$ 13,039,769 1080

CASH TRANSFERS FROM THE REPARATIONS FUND TO THE GENERAL 1081  
REVENUE FUND 1082

Notwithstanding any other provision of law to the contrary, 1083  
on the first day of July in each of 2007 and 2008, or as soon as 1084  
practicable thereafter in each of those years, the Director of 1085  
Budget and Management shall transfer cash in the amounts of 1086  
\$3,028,499 and \$9,239,769, respectively, from the Reparations Fund 1087  
(Fund 402) to the General Revenue Fund. 1088

SUPREME COURT SECURITY 1089

The foregoing appropriation item 005-612, Supreme Court 1090  
Security, shall be used by the Supreme Court to fund court 1091  
security projects. 1092

**Section 5.** Within the limits set forth in this act, the 1093  
Director of Budget and Management shall establish accounts 1094  
indicating the source and amount of money for each appropriation 1095  
made in this act and shall determine the form and manner in which 1096  
appropriation accounts shall be maintained. Expenditures from 1097  
appropriations contained in this act shall be accounted for as 1098  
though made in the main operating appropriations act of the 127th 1099  
General Assembly. 1100

The appropriations made in this act are subject to all 1101  
provisions of the main operating appropriations act of the 127th 1102  
General Assembly that are generally applicable to such 1103  
appropriations. 1104

**Section 6.** Sections 141.04, 2503.60, 2743.191, 2743.70, and 1105  
2949.111 of the Revised Code and Sections 4, 5, and 6 of this act, 1106  
as amended or enacted in this act, are not subject to the 1107  
referendum. Therefore, under Ohio Constitution, Article II, 1108  
Section 1d and section 1.471 of the Revised Code those sections as 1109  
amended or enacted by this act go into immediate effect when this 1110  
act becomes law. 1111