

As Introduced

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

H. B. No. 173

Representatives Seitz, Book

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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, 2000 <u>2008</u> , one hundred nine	113
<u>thirty-five</u> thousand two hundred fifty <u>twelve</u> dollars;	114
(b) Beginning January 1, 2001 <u>2009</u> , one hundred twelve	115
<u>forty-two</u> thousand five hundred <u>fifty</u> <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 2001 <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, 2000 <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, 2001 <u>2009</u> , one hundred three	127
<u>thirty-two</u> thousand five <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 2001 <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, ~~2000~~ 2008, ~~thirty-two~~ fifty-six 146
thousand ~~six~~ seven hundred ~~fifty~~ sixteen dollars; 147

(b) Beginning January 1, ~~2001~~ 2009, ~~thirty-five~~ sixty-four 148
thousand ~~five~~ one hundred ~~eighty-two~~ dollars; 149

(c) Beginning January 1, 2010, seventy-one thousand six 150
hundred forty-eight dollars and forty-one cents; 151

(d) After ~~2001~~ 2010, the amount determined under division 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, ~~2000~~ 2008, ~~eighteen~~ thirty-two 163
thousand ~~eight~~ six hundred ~~thirty-five~~ dollars; 164

(b) Beginning January 1, ~~2001~~ 2009, ~~twenty~~ thirty-six 165
thousand ~~four~~ nine hundred ~~fifty~~ twenty dollars and fifty-six 166
cents; 167

(c) Beginning January 1, 2010, forty-one thousand two hundred 168
five dollars; 169

(d) After ~~2001~~ 2010, the amount determined under division 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 justices⁷. 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