

As Introduced

**128th General Assembly
Regular Session
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H. B. No. 548

Representative Pryor

Cosponsor: Representative Book

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A B I L L

To amend section 311.01 of the Revised Code to change 1
the eligibility requirements for county sheriff. 2

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

Section 1. That section 311.01 of the Revised Code be amended 3
to read as follows: 4

Sec. 311.01. (A) A sheriff shall be elected quadrennially in 5
each county. A sheriff shall hold office for a term of four years, 6
beginning on the first Monday of January next after the sheriff's 7
election. 8

(B) Except as otherwise provided in this section, no person 9
is eligible to be a candidate for sheriff, and no person shall be 10
elected or appointed to the office of sheriff, unless that person 11
meets all of the following requirements: 12

(1) The person is a citizen of the United States. 13

(2) The person has been a resident of the county in which the 14
person is a candidate for or is appointed to the office of sheriff 15
for at least one year immediately prior to the qualification date. 16

(3) The person has the qualifications of an elector as 17
specified in section 3503.01 of the Revised Code and has complied 18

with all applicable election laws. 19

(4) The person has been awarded a high school diploma or a 20
certificate of high school equivalence issued for achievement of 21
specified minimum scores on the general educational development 22
test of the American council on education. 23

(5) The person has not been convicted of or pleaded guilty to 24
a felony or any offense involving moral turpitude under the laws 25
of this or any other state or the United States, and has not been 26
convicted of or pleaded guilty to an offense that is a misdemeanor 27
of the first degree under the laws of this state or an offense 28
under the laws of any other state or the United States that 29
carries a penalty that is substantially equivalent to the penalty 30
for a misdemeanor of the first degree under the laws of this 31
state. 32

(6) The person has been fingerprinted and has been the 33
subject of a search of local, state, and national fingerprint 34
files to disclose any criminal record. Such fingerprints shall be 35
taken under the direction of the administrative judge of the court 36
of common pleas who, prior to the applicable qualification date, 37
shall notify the board of elections, board of county 38
commissioners, or county central committee of the proper political 39
party, as applicable, of the judge's findings. 40

(7) The person has prepared a complete history of the 41
person's places of residence for a period of six years immediately 42
preceding the qualification date and a complete history of the 43
person's places of employment for a period of six years 44
immediately preceding the qualification date, indicating the name 45
and address of each employer and the period of time employed by 46
that employer. The residence and employment histories shall be 47
filed with the administrative judge of the court of common pleas 48
of the county, who shall forward them with the findings under 49
division (B)(6) of this section to the appropriate board of 50

elections, board of county commissioners, or county central 51
committee of the proper political party prior to the applicable 52
qualification date. 53

(8) The person meets at least one of the following 54
conditions: 55

(a) Has obtained or held, within the four-year period ending 56
immediately prior to the qualification date, a valid basic peace 57
officer certificate of training issued by the Ohio peace officer 58
training commission or has been issued a certificate of training 59
pursuant to section 5503.05 of the Revised Code, ~~and, within the~~ 60
~~four year period ending immediately~~ prior to the qualification 61
date, has been employed for a cumulative period of five years any 62
time in the past as an appointee pursuant to section 5503.01 of 63
the Revised Code or as a full-time peace officer as defined in 64
section 109.71 of the Revised Code performing duties related to 65
the enforcement of statutes, ordinances, or codes; 66

(b) Has obtained or held, within the three-year period ending 67
immediately prior to the qualification date, a valid basic peace 68
officer certificate of training issued by the Ohio peace officer 69
training commission or has been issued a certificate of training 70
under section 5503.05 of the Revised Code, and has been employed 71
for at least ~~the last three years prior to~~ a cumulative period of 72
five years any time in the past before the qualification date as a 73
full-time law enforcement officer, as defined in division (A)(11) 74
of section 2901.01 of the Revised Code, performing duties related 75
to the enforcement of statutes, ordinances, or codes. 76

(9) The person meets at least one of the following 77
conditions: 78

(a) Has at least two years of supervisory experience as a 79
~~peace law enforcement~~ officer at the rank of corporal or above, or 80
has been appointed pursuant to section 5503.01 of the Revised Code 81

and served at the rank of sergeant or above, ~~in the five year~~ 82
~~period ending immediately for one year in the past~~ prior to the 83
qualification date, or has obtained a certificate of training in 84
law enforcement supervisor schooling; 85

(b) Has completed satisfactorily at least ~~two years~~ one year 86
of post-secondary education or the equivalent in semester or 87
quarter hours, but at least forty-five credit hours, in a college 88
or university authorized to confer degrees by the Ohio board of 89
regents or the comparable agency of another state in which the 90
college or university is located or in a school that holds a 91
certificate of registration issued by the state board of career 92
colleges and schools under Chapter 3332. of the Revised Code. Any 93
previous college credits, law enforcement educational credits, or 94
military service shall be accepted as college credit for the 95
purpose of meeting the forty-five credits required by this 96
division. 97

(C) Persons who meet the requirements of division (B) of this 98
section, except the requirement of division (B)(2) of this 99
section, may take all actions otherwise necessary to comply with 100
division (B) of this section. If, on the applicable qualification 101
date, no person has met all the requirements of division (B) of 102
this section, then persons who have complied with and meet the 103
requirements of division (B) of this section, except the 104
requirement of division (B)(2) of this section, shall be 105
considered qualified candidates under division (B) of this 106
section. 107

(D) Newly elected sheriffs shall attend a basic training 108
course conducted by the Ohio peace officer training commission 109
pursuant to division (A) of section 109.80 of the Revised Code. A 110
newly elected sheriff shall complete not less than two weeks of 111
this course before the first Monday in January next after the 112
sheriff's election. While attending the basic training course, a 113

newly elected sheriff may, with the approval of the board of 114
county commissioners, receive compensation, paid for from funds 115
established by the sheriff's county for this purpose, in the same 116
manner and amounts as if carrying out the powers and duties of the 117
office of sheriff. 118

Appointed sheriffs shall attend the first basic training 119
course conducted by the Ohio peace officer training commission 120
pursuant to division (A) of section 109.80 of the Revised Code 121
within six months following the date of appointment or election to 122
the office of sheriff. While attending the basic training course, 123
appointed sheriffs shall receive regular compensation in the same 124
manner and amounts as if carrying out their regular powers and 125
duties. 126

Five days of instruction at the basic training course shall 127
be considered equal to one week of work. The costs of conducting 128
the basic training course and the costs of meals, lodging, and 129
travel of appointed and newly elected sheriffs attending the 130
course shall be paid from state funds appropriated to the 131
commission for this purpose. 132

(E) In each calendar year, each sheriff shall attend and 133
successfully complete at least sixteen hours of continuing 134
education approved under division (B) of section 109.80 of the 135
Revised Code. A sheriff who receives a waiver of the continuing 136
education requirement from the commission under division (C) of 137
section 109.80 of the Revised Code because of medical disability 138
or for other good cause shall complete the requirement at the 139
earliest time after the disability or cause terminates. 140

(F)(1) Each person who is a candidate for election to or who 141
is under consideration for appointment to the office of sheriff 142
shall swear before the administrative judge of the court of common 143
pleas as to the truth of any information the person provides to 144
verify the person's qualifications for the office. A person who 145

violates this requirement is guilty of falsification under section 146
2921.13 of the Revised Code. 147

(2) Each board of elections shall certify whether or not a 148
candidate for the office of sheriff who has filed a declaration of 149
candidacy, a statement of candidacy, or a declaration of intent to 150
be a write-in candidate meets the qualifications specified in 151
divisions (B) and (C) of this section. 152

(G) The office of a sheriff who is required to comply with 153
division (D) or (E) of this section and who fails to successfully 154
complete the courses pursuant to those divisions is hereby deemed 155
to be vacant. 156

(H) As used in this section: 157

(1) "Qualification date" means the last day on which a 158
candidate for the office of sheriff can file a declaration of 159
candidacy, a statement of candidacy, or a declaration of intent to 160
be a write-in candidate, as applicable, in the case of a primary 161
election for the office of sheriff; the last day on which a person 162
may be appointed to fill a vacancy in a party nomination for the 163
office of sheriff under Chapter 3513. of the Revised Code, in the 164
case of a vacancy in the office of sheriff; or a date thirty days 165
after the day on which a vacancy in the office of sheriff occurs, 166
in the case of an appointment to such a vacancy under section 167
305.02 of the Revised Code. 168

(2) "Newly elected sheriff" means a person who did not hold 169
the office of sheriff of a county on the date the person was 170
elected sheriff of that county. 171

Section 2. That existing section 311.01 of the Revised Code 172
is hereby repealed. 173