

As Introduced

**129th General Assembly
Regular Session
2011-2012**

H. B. No. 197

Representative Slesnick

**Cosponsors: Representatives Fende, Letson, Murray, O'Brien, Patmon,
Yuko**

—

A BILL

To amend sections 1901.261, 1901.31, 1907.20, 1
1907.26, 1907.261, and 4503.39 and to enact 2
sections 117.102, 1901.263, 1901.44, 1905.202, 3
1905.33, 1907.25, 1907.263, 2303.203, and 5747.124 4
of the Revised Code to require that all moneys 5
collected by the clerk of a municipal or county 6
court be paid to the appropriate person, fund, or 7
entity on or before the twentieth day of each 8
month, to permit a municipal or county court to 9
collect unpaid court costs, fees, or fines from an 10
obligor's state income tax refund, to require the 11
Auditor of State to create and maintain a chart 12
detailing the distribution of court costs, fees, 13
and fines collected by municipal and county court 14
clerks, to create the Committee on Court Costs, 15
and to ensure that neither the Registrar nor any 16
deputy registrar accepts any application for the 17
issuance or renewal of a driver's license, 18
commercial driver's license, or temporary 19
instruction permit, or for the registration or 20
transfer of registration of a motor vehicle of a 21
person who fails to pay court costs imposed for 22

offenses by a municipal mayor's, or county court. 23

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

Section 1. That sections 1901.261, 1901.31, 1907.20, 1907.26, 24
1907.261, and 4503.39 be amended and sections 117.102, 1901.263, 25
1901.44, 1905.202, 1905.33, 1907.25, 1907.263, 2303.203, and 26
5747.124 of the Revised Code be enacted to read as follows: 27

Sec. 117.102. The auditor of state shall develop and 28
periodically update a chart detailing the distribution of court 29
costs, fees, and fines collected by the clerks of municipal courts 30
and county courts. 31

Sec. 1901.261. (A)(1) A municipal court may determine that 32
for the efficient operation of the court additional funds are 33
required to computerize the court, to make available computerized 34
legal research services, or to do both. Upon making a 35
determination that additional funds are required for either or 36
both of those purposes, the court shall include in its schedule of 37
fees and costs under section 1901.26 of the Revised Code one 38
additional fee not to exceed three dollars on the filing of each 39
cause of action or appeal equivalent to one described in division 40
(A), (Q), or (U) of section 2303.20 of the Revised Code and shall 41
direct the clerk of the court to charge the fee. 42

(2) All fees collected under this section shall be paid on or 43
before the twentieth day of each month to the county treasurer if 44
the court is a county-operated municipal court or to the city 45
treasurer if the court is not a county-operated municipal court. 46
The treasurer shall place the funds from the fees in a separate 47
fund to be disbursed upon an order of the court in an amount not 48
greater than the actual cost to the court of computerizing the 49
court, procuring and maintaining computerized legal research 50

services, or both. 51

(3) If the court determines that the funds in the fund 52
described in division (A)(2) of this section are more than 53
sufficient to satisfy the purpose for which the additional fee 54
described in division (A)(1) of this section was imposed, the 55
court may declare a surplus in the fund and expend those surplus 56
funds for other appropriate technological expenses of the court. 57

(B)(1) A municipal court may determine that, for the 58
efficient operation of the court, additional funds are required to 59
computerize the office of the clerk of the court and, upon that 60
determination, may include in its schedule of fees and costs under 61
section 1901.26 of the Revised Code an additional fee not to 62
exceed ten dollars on the filing of each cause of action or 63
appeal, on the filing, docketing, and endorsing of each 64
certificate of judgment, or on the docketing and indexing of each 65
aid in execution or petition to vacate, revive, or modify a 66
judgment that is equivalent to one described in division (A), (P), 67
(Q), (T), or (U) of section 2303.20 of the Revised Code. Subject 68
to division (B)(2) of this section, all moneys collected under 69
division (B)(1) of this section shall be paid on or before the 70
twentieth day of each month to the county treasurer if the court 71
is a county-operated municipal court or to the city treasurer if 72
the court is not a county-operated municipal court. The treasurer 73
shall place the funds from the fees in a separate fund to be 74
disbursed, upon an order of the municipal court and subject to an 75
appropriation by the board of county commissioners if the court is 76
a county-operated municipal court or by the legislative authority 77
of the municipal corporation if the court is not a county-operated 78
municipal court, in an amount no greater than the actual cost to 79
the court of procuring and maintaining computer systems for the 80
office of the clerk of the municipal court. 81

(2) If a municipal court makes the determination described in 82

division (B)(1) of this section, the board of county commissioners 83
of the county if the court is a county-operated municipal court or 84
the legislative authority of the municipal corporation if the 85
court is not a county-operated municipal court, may issue one or 86
more general obligation bonds for the purpose of procuring and 87
maintaining the computer systems for the office of the clerk of 88
the municipal court. In addition to the purposes stated in 89
division (B)(1) of this section for which the moneys collected 90
under that division may be expended, the moneys additionally may 91
be expended to pay debt charges and financing costs related to any 92
general obligation bonds issued pursuant to division (B)(2) of 93
this section as they become due. General obligation bonds issued 94
pursuant to division (B)(2) of this section are Chapter 133. 95
securities. 96

Sec. 1901.263. (A) As used in this section, "unpaid court 97
costs, fees, or fines" means any court costs, fees, or fines that 98
an obligor has not paid to the appropriate court at least two 99
years after the date on which the obligor was required by the 100
court or by a statute or rule to pay the court costs, fees, or 101
fines. 102

(B) The municipal court shall work with the tax commissioner 103
to collect unpaid court costs, fees, or fines from refunds of 104
state income taxes that are payable to obligors. 105

(C) A municipal court may collect any unpaid court costs, 106
fees, or fines under this section. Any reduction under section 107
5747.12, 5747.121, 5747.122, or 5747.123 of the Revised Code to an 108
income tax refund shall be made before a reduction under this 109
section. No reduction shall be made under this section if the 110
amount of the refund is less than twenty-five dollars after any 111
reduction under section 5747.12 of the Revised Code. A reduction 112
under this section shall be made before any part of the refund is 113

contributed under section 5747.113 of the Revised Code or is 114
credited under section 5747.12 of the Revised Code against tax due 115
in any subsequent year. 116

(D) The court and the tax commissioner, by rules adopted in 117
accordance with Chapter 119. of the Revised Code, shall establish 118
procedures to implement this section. The procedures shall provide 119
for notice to an obligor of unpaid court costs, fees, or fines and 120
an opportunity for the obligor to be heard before the obligor's 121
income tax refund is reduced. 122

Sec. 1901.31. The clerk and deputy clerks of a municipal 123
court shall be selected, be compensated, give bond, and have 124
powers and duties as follows: 125

(A) There shall be a clerk of the court who is appointed or 126
elected as follows: 127

(1)(a) Except in the Akron, Barberton, Toledo, Hamilton 128
county, Montgomery county, Portage county, and Wayne county 129
municipal courts and through December 31, 2008, the Cuyahoga Falls 130
municipal court, if the population of the territory equals or 131
exceeds one hundred thousand at the regular municipal election 132
immediately preceding the expiration of the term of the present 133
clerk, the clerk shall be nominated and elected by the qualified 134
electors of the territory in the manner that is provided for the 135
nomination and election of judges in section 1901.07 of the 136
Revised Code. 137

The clerk so elected shall hold office for a term of six 138
years, which term shall commence on the first day of January 139
following the clerk's election and continue until the clerk's 140
successor is elected and qualified. 141

(b) In the Hamilton county municipal court, the clerk of 142
courts of Hamilton county shall be the clerk of the municipal 143

court and may appoint an assistant clerk who shall receive the 144
compensation, payable out of the treasury of Hamilton county in 145
semimonthly installments, that the board of county commissioners 146
prescribes. The clerk of courts of Hamilton county, acting as the 147
clerk of the Hamilton county municipal court and assuming the 148
duties of that office, shall receive compensation at one-fourth 149
the rate that is prescribed for the clerks of courts of common 150
pleas as determined in accordance with the population of the 151
county and the rates set forth in sections 325.08 and 325.18 of 152
the Revised Code. This compensation shall be paid from the county 153
treasury in semimonthly installments and is in addition to the 154
annual compensation that is received for the performance of the 155
duties of the clerk of courts of Hamilton county, as provided in 156
sections 325.08 and 325.18 of the Revised Code. 157

(c) In the Portage county and Wayne county municipal courts, 158
the clerks of courts of Portage county and Wayne county shall be 159
the clerks, respectively, of the Portage county and Wayne county 160
municipal courts and may appoint a chief deputy clerk for each 161
branch that is established pursuant to section 1901.311 of the 162
Revised Code and assistant clerks as the judges of the municipal 163
court determine are necessary, all of whom shall receive the 164
compensation that the legislative authority prescribes. The clerks 165
of courts of Portage county and Wayne county, acting as the clerks 166
of the Portage county and Wayne county municipal courts and 167
assuming the duties of these offices, shall receive compensation 168
payable from the county treasury in semimonthly installments at 169
one-fourth the rate that is prescribed for the clerks of courts of 170
common pleas as determined in accordance with the population of 171
the county and the rates set forth in sections 325.08 and 325.18 172
of the Revised Code. 173

(d) In the Montgomery county municipal court, the clerk of 174
courts of Montgomery county shall be the clerk of the municipal 175

court. The clerk of courts of Montgomery county, acting as the 176
clerk of the Montgomery county municipal court and assuming the 177
duties of that office, shall receive compensation at one-fourth 178
the rate that is prescribed for the clerks of courts of common 179
pleas as determined in accordance with the population of the 180
county and the rates set forth in sections 325.08 and 325.18 of 181
the Revised Code. This compensation shall be paid from the county 182
treasury in semimonthly installments and is in addition to the 183
annual compensation that is received for the performance of the 184
duties of the clerk of courts of Montgomery county, as provided in 185
sections 325.08 and 325.18 of the Revised Code. 186

(e) Except as otherwise provided in division (A)(1)(e) of 187
this section, in the Akron municipal court, candidates for 188
election to the office of clerk of the court shall be nominated by 189
primary election. The primary election shall be held on the day 190
specified in the charter of the city of Akron for the nomination 191
of municipal officers. Notwithstanding any contrary provision of 192
section 3513.05 or 3513.257 of the Revised Code, the declarations 193
of candidacy and petitions of partisan candidates and the 194
nominating petitions of independent candidates for the office of 195
clerk of the Akron municipal court shall be signed by at least 196
fifty qualified electors of the territory of the court. 197

The candidates shall file a declaration of candidacy and 198
petition, or a nominating petition, whichever is applicable, not 199
later than four p.m. of the ninetieth day before the day of the 200
primary election, in the form prescribed by section 3513.07 or 201
3513.261 of the Revised Code. The declaration of candidacy and 202
petition, or the nominating petition, shall conform to the 203
applicable requirements of section 3513.05 or 3513.257 of the 204
Revised Code. 205

If no valid declaration of candidacy and petition is filed by 206
any person for nomination as a candidate of a particular political 207

party for election to the office of clerk of the Akron municipal 208
court, a primary election shall not be held for the purpose of 209
nominating a candidate of that party for election to that office. 210
If only one person files a valid declaration of candidacy and 211
petition for nomination as a candidate of a particular political 212
party for election to that office, a primary election shall not be 213
held for the purpose of nominating a candidate of that party for 214
election to that office, and the candidate shall be issued a 215
certificate of nomination in the manner set forth in section 216
3513.02 of the Revised Code. 217

Declarations of candidacy and petitions, nominating 218
petitions, and certificates of nomination for the office of clerk 219
of the Akron municipal court shall contain a designation of the 220
term for which the candidate seeks election. At the following 221
regular municipal election, all candidates for the office shall be 222
submitted to the qualified electors of the territory of the court 223
in the manner that is provided in section 1901.07 of the Revised 224
Code for the election of the judges of the court. The clerk so 225
elected shall hold office for a term of six years, which term 226
shall commence on the first day of January following the clerk's 227
election and continue until the clerk's successor is elected and 228
qualified. 229

(f) Except as otherwise provided in division (A)(1)(f) of 230
this section, in the Barberton municipal court, candidates for 231
election to the office of clerk of the court shall be nominated by 232
primary election. The primary election shall be held on the day 233
specified in the charter of the city of Barberton for the 234
nomination of municipal officers. Notwithstanding any contrary 235
provision of section 3513.05 or 3513.257 of the Revised Code, the 236
declarations of candidacy and petitions of partisan candidates and 237
the nominating petitions of independent candidates for the office 238
of clerk of the Barberton municipal court shall be signed by at 239

least fifty qualified electors of the territory of the court. 240

The candidates shall file a declaration of candidacy and 241
petition, or a nominating petition, whichever is applicable, not 242
later than four p.m. of the ninetieth day before the day of the 243
primary election, in the form prescribed by section 3513.07 or 244
3513.261 of the Revised Code. The declaration of candidacy and 245
petition, or the nominating petition, shall conform to the 246
applicable requirements of section 3513.05 or 3513.257 of the 247
Revised Code. 248

If no valid declaration of candidacy and petition is filed by 249
any person for nomination as a candidate of a particular political 250
party for election to the office of clerk of the Barberton 251
municipal court, a primary election shall not be held for the 252
purpose of nominating a candidate of that party for election to 253
that office. If only one person files a valid declaration of 254
candidacy and petition for nomination as a candidate of a 255
particular political party for election to that office, a primary 256
election shall not be held for the purpose of nominating a 257
candidate of that party for election to that office, and the 258
candidate shall be issued a certificate of nomination in the 259
manner set forth in section 3513.02 of the Revised Code. 260

Declarations of candidacy and petitions, nominating 261
petitions, and certificates of nomination for the office of clerk 262
of the Barberton municipal court shall contain a designation of 263
the term for which the candidate seeks election. At the following 264
regular municipal election, all candidates for the office shall be 265
submitted to the qualified electors of the territory of the court 266
in the manner that is provided in section 1901.07 of the Revised 267
Code for the election of the judges of the court. The clerk so 268
elected shall hold office for a term of six years, which term 269
shall commence on the first day of January following the clerk's 270
election and continue until the clerk's successor is elected and 271

qualified. 272

(g)(i) Through December 31, 2008, except as otherwise 273
provided in division (A)(1)(g)(i) of this section, in the Cuyahoga 274
Falls municipal court, candidates for election to the office of 275
clerk of the court shall be nominated by primary election. The 276
primary election shall be held on the day specified in the charter 277
of the city of Cuyahoga Falls for the nomination of municipal 278
officers. Notwithstanding any contrary provision of section 279
3513.05 or 3513.257 of the Revised Code, the declarations of 280
candidacy and petitions of partisan candidates and the nominating 281
petitions of independent candidates for the office of clerk of the 282
Cuyahoga Falls municipal court shall be signed by at least fifty 283
qualified electors of the territory of the court. 284

The candidates shall file a declaration of candidacy and 285
petition, or a nominating petition, whichever is applicable, not 286
later than four p.m. of the ninetieth day before the day of the 287
primary election, in the form prescribed by section 3513.07 or 288
3513.261 of the Revised Code. The declaration of candidacy and 289
petition, or the nominating petition, shall conform to the 290
applicable requirements of section 3513.05 or 3513.257 of the 291
Revised Code. 292

If no valid declaration of candidacy and petition is filed by 293
any person for nomination as a candidate of a particular political 294
party for election to the office of clerk of the Cuyahoga Falls 295
municipal court, a primary election shall not be held for the 296
purpose of nominating a candidate of that party for election to 297
that office. If only one person files a valid declaration of 298
candidacy and petition for nomination as a candidate of a 299
particular political party for election to that office, a primary 300
election shall not be held for the purpose of nominating a 301
candidate of that party for election to that office, and the 302
candidate shall be issued a certificate of nomination in the 303

manner set forth in section 3513.02 of the Revised Code. 304

Declarations of candidacy and petitions, nominating 305
petitions, and certificates of nomination for the office of clerk 306
of the Cuyahoga Falls municipal court shall contain a designation 307
of the term for which the candidate seeks election. At the 308
following regular municipal election, all candidates for the 309
office shall be submitted to the qualified electors of the 310
territory of the court in the manner that is provided in section 311
1901.07 of the Revised Code for the election of the judges of the 312
court. The clerk so elected shall hold office for a term of six 313
years, which term shall commence on the first day of January 314
following the clerk's election and continue until the clerk's 315
successor is elected and qualified. 316

(ii) Division (A)(1)(g)(i) of this section shall have no 317
effect after December 31, 2008. 318

(h) Except as otherwise provided in division (A)(1)(h) of 319
this section, in the Toledo municipal court, candidates for 320
election to the office of clerk of the court shall be nominated by 321
primary election. The primary election shall be held on the day 322
specified in the charter of the city of Toledo for the nomination 323
of municipal officers. Notwithstanding any contrary provision of 324
section 3513.05 or 3513.257 of the Revised Code, the declarations 325
of candidacy and petitions of partisan candidates and the 326
nominating petitions of independent candidates for the office of 327
clerk of the Toledo municipal court shall be signed by at least 328
fifty qualified electors of the territory of the court. 329

The candidates shall file a declaration of candidacy and 330
petition, or a nominating petition, whichever is applicable, not 331
later than four p.m. of the ninetieth day before the day of the 332
primary election, in the form prescribed by section 3513.07 or 333
3513.261 of the Revised Code. The declaration of candidacy and 334
petition, or the nominating petition, shall conform to the 335

applicable requirements of section 3513.05 or 3513.257 of the Revised Code.

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

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

(2)(a) Except for the Alliance, Auglaize county, Brown county, Columbiana county, Holmes county, Putnam county, Lorain, Massillon, and Youngstown municipal courts, in a municipal court for which the population of the territory is less than one hundred thousand, the clerk shall be appointed by the court, and the clerk shall hold office until the clerk's successor is appointed and

qualified. 368

(b) In the Alliance, Lorain, Massillon, and Youngstown 369
municipal courts, the clerk shall be elected for a term of office 370
as described in division (A)(1)(a) of this section. 371

(c) In the Auglaize county, Brown county, Holmes county, and 372
Putnam county municipal courts, the clerks of courts of Auglaize 373
county, Brown county, Holmes county, and Putnam county shall be 374
the clerks, respectively, of the Auglaize county, Brown county, 375
Holmes county, and Putnam county municipal courts and may appoint 376
a chief deputy clerk for each branch office that is established 377
pursuant to section 1901.311 of the Revised Code, and assistant 378
clerks as the judge of the court determines are necessary, all of 379
whom shall receive the compensation that the legislative authority 380
prescribes. The clerks of courts of Auglaize county, Brown county, 381
Holmes county, and Putnam county, acting as the clerks of the 382
Auglaize county, Brown county, Holmes county, and Putnam county 383
municipal courts and assuming the duties of these offices, shall 384
receive compensation payable from the county treasury in 385
semimonthly installments at one-fourth the rate that is prescribed 386
for the clerks of courts of common pleas as determined in 387
accordance with the population of the county and the rates set 388
forth in sections 325.08 and 325.18 of the Revised Code. 389

(d) In the Columbiana county municipal court, the clerk of 390
courts of Columbiana county shall be the clerk of the municipal 391
court, may appoint a chief deputy clerk for each branch office 392
that is established pursuant to section 1901.311 of the Revised 393
Code, and may appoint any assistant clerks that the judges of the 394
court determine are necessary. All of the chief deputy clerks and 395
assistant clerks shall receive the compensation that the 396
legislative authority prescribes. The clerk of courts of 397
Columbiana county, acting as the clerk of the Columbiana county 398
municipal court and assuming the duties of that office, shall 399

receive in either biweekly installments or semimonthly 400
installments, as determined by the payroll administrator, 401
compensation payable from the county treasury at one-fourth the 402
rate that is prescribed for the clerks of courts of common pleas 403
as determined in accordance with the population of the county and 404
the rates set forth in sections 325.08 and 325.18 of the Revised 405
Code. 406

(3) During the temporary absence of the clerk due to illness, 407
vacation, or other proper cause, the court may appoint a temporary 408
clerk, who shall be paid the same compensation, have the same 409
authority, and perform the same duties as the clerk. 410

(B) Except in the Hamilton county, Montgomery county, Portage 411
county, and Wayne county municipal courts, if a vacancy occurs in 412
the office of the clerk of the Alliance, Lorain, Massillon, or 413
Youngstown municipal court or occurs in the office of the clerk of 414
a municipal court for which the population of the territory equals 415
or exceeds one hundred thousand because the clerk ceases to hold 416
the office before the end of the clerk's term or because a 417
clerk-elect fails to take office, the vacancy shall be filled, 418
until a successor is elected and qualified, by a person chosen by 419
the residents of the territory of the court who are members of the 420
county central committee of the political party by which the last 421
occupant of that office or the clerk-elect was nominated. Not less 422
than five nor more than fifteen days after a vacancy occurs, those 423
members of that county central committee shall meet to make an 424
appointment to fill the vacancy. At least four days before the 425
date of the meeting, the chairperson or a secretary of the county 426
central committee shall notify each such member of that county 427
central committee by first class mail of the date, time, and place 428
of the meeting and its purpose. A majority of all such members of 429
that county central committee constitutes a quorum, and a majority 430
of the quorum is required to make the appointment. If the office 431

so vacated was occupied or was to be occupied by a person not 432
nominated at a primary election, or if the appointment was not 433
made by the committee members in accordance with this division, 434
the court shall make an appointment to fill the vacancy. A 435
successor shall be elected to fill the office for the unexpired 436
term at the first municipal election that is held more than one 437
hundred thirty-five days after the vacancy occurred. 438

(C)(1) In a municipal court, other than the Auglaize county, 439
the Brown county, the Columbiana county, the Holmes county, the 440
Putnam county, and the Lorain municipal courts, for which the 441
population of the territory is less than one hundred thousand, the 442
clerk of the municipal court shall receive the annual compensation 443
that the presiding judge of the court prescribes, if the revenue 444
of the court for the preceding calendar year, as certified by the 445
auditor or chief fiscal officer of the municipal corporation in 446
which the court is located or, in the case of a county-operated 447
municipal court, the county auditor, is equal to or greater than 448
the expenditures, including any debt charges, for the operation of 449
the court payable under this chapter from the city treasury or, in 450
the case of a county-operated municipal court, the county treasury 451
for that calendar year, as also certified by the auditor or chief 452
fiscal officer. If the revenue of a municipal court, other than 453
the Auglaize county, the Brown county, the Columbiana county, the 454
Putnam county, and the Lorain municipal courts, for which the 455
population of the territory is less than one hundred thousand for 456
the preceding calendar year as so certified is not equal to or 457
greater than those expenditures for the operation of the court for 458
that calendar year as so certified, the clerk of a municipal court 459
shall receive the annual compensation that the legislative 460
authority prescribes. As used in this division, "revenue" means 461
the total of all costs and fees that are collected and paid to the 462
city treasury or, in a county-operated municipal court, the county 463
treasury by the clerk of the municipal court under division (F) of 464

this section and all interest received and paid to the city 465
treasury or, in a county-operated municipal court, the county 466
treasury in relation to the costs and fees under division (G) of 467
this section. 468

(2) In a municipal court, other than the Hamilton county, 469
Montgomery county, Portage county, and Wayne county municipal 470
courts, for which the population of the territory is one hundred 471
thousand or more, and in the Lorain municipal court, the clerk of 472
the municipal court shall receive annual compensation in a sum 473
equal to eighty-five per cent of the salary of a judge of the 474
court. 475

(3) The compensation of a clerk described in division (C)(1) 476
or (2) of this section and of the clerk of the Columbiana county 477
municipal court is payable in either semimonthly installments or 478
biweekly installments, as determined by the payroll administrator, 479
from the same sources and in the same manner as provided in 480
section 1901.11 of the Revised Code, except that the compensation 481
of the clerk of the Carroll county municipal court is payable in 482
biweekly installments. 483

(D) Before entering upon the duties of the clerk's office, 484
the clerk of a municipal court shall give bond of not less than 485
six thousand dollars to be determined by the judges of the court, 486
conditioned upon the faithful performance of the clerk's duties. 487

(E) The clerk of a municipal court may do all of the 488
following: administer oaths, take affidavits, and issue executions 489
upon any judgment rendered in the court, including a judgment for 490
unpaid costs; issue, sign, and attach the seal of the court to all 491
writs, process, subpoenas, and papers issuing out of the court; 492
and approve all bonds, sureties, recognizances, and undertakings 493
fixed by any judge of the court or by law. The clerk may refuse to 494
accept for filing any pleading or paper submitted for filing by a 495
person who has been found to be a vexatious litigator under 496

section 2323.52 of the Revised Code and who has failed to obtain 497
leave to proceed under that section. The clerk shall do all of the 498
following: file and safely keep all journals, records, books, and 499
papers belonging or appertaining to the court; record the 500
proceedings of the court; perform all other duties that the judges 501
of the court may prescribe; and keep a book showing all receipts 502
and disbursements, which book shall be open for public inspection 503
at all times. 504

The clerk shall prepare and maintain a general index, a 505
docket, and other records that the court, by rule, requires, all 506
of which shall be the public records of the court. In the docket, 507
the clerk shall enter, at the time of the commencement of an 508
action, the names of the parties in full, the names of the 509
counsel, and the nature of the proceedings. Under proper dates, 510
the clerk shall note the filing of the complaint, issuing of 511
summons or other process, returns, and any subsequent pleadings. 512
The clerk also shall enter all reports, verdicts, orders, 513
judgments, and proceedings of the court, clearly specifying the 514
relief granted or orders made in each action. The court may order 515
an extended record of any of the above to be made and entered, 516
under the proper action heading, upon the docket at the request of 517
any party to the case, the expense of which record may be taxed as 518
costs in the case or may be required to be prepaid by the party 519
demanding the record, upon order of the court. 520

(F) The clerk of a municipal court shall receive, collect, 521
and issue receipts for all costs, fees, fines, bail, and other 522
moneys payable to the office or to any officer of the court. The 523
clerk shall on or before the twentieth day of each month disburse 524
to the proper persons or officers, and take receipts for, all 525
costs, fees, fines, bail, and other moneys that the clerk 526
collects. Subject to sections 307.515 and 4511.193 of the Revised 527
Code and to any other section of the Revised Code that requires a 528

specific manner of disbursement of any moneys received by a 529
municipal court and except for the Hamilton county, Lawrence 530
county, and Ottawa county municipal courts, the clerk shall pay 531
all fines received for violation of municipal ordinances into the 532
treasury of the municipal corporation the ordinance of which was 533
violated and shall pay all fines received for violation of 534
township resolutions adopted pursuant to section 503.52 or 503.53 535
or Chapter 504. of the Revised Code into the treasury of the 536
township the resolution of which was violated. Subject to sections 537
1901.024 and 4511.193 of the Revised Code, in the Hamilton county, 538
Lawrence county, and Ottawa county municipal courts, the clerk 539
shall pay fifty per cent of the fines received for violation of 540
municipal ordinances and fifty per cent of the fines received for 541
violation of township resolutions adopted pursuant to section 542
503.52 or 503.53 or Chapter 504. of the Revised Code into the 543
treasury of the county. Subject to sections 307.515, 4511.19, and 544
5503.04 of the Revised Code and to any other section of the 545
Revised Code that requires a specific manner of disbursement of 546
any moneys received by a municipal court, the clerk shall pay all 547
fines collected for the violation of state laws into the county 548
treasury. Except in a county-operated municipal court, the clerk 549
shall pay all costs and fees the disbursement of which is not 550
otherwise provided for in the Revised Code into the city treasury. 551
The clerk of a county-operated municipal court shall pay the costs 552
and fees the disbursement of which is not otherwise provided for 553
in the Revised Code into the county treasury. Moneys deposited as 554
security for costs shall be retained pending the litigation. The 555
clerk shall keep a separate account of all receipts and 556
disbursements in civil and criminal cases, which shall be a 557
permanent public record of the office. On the expiration of the 558
term of the clerk, the clerk shall deliver the records to the 559
clerk's successor. The clerk shall have other powers and duties as 560
are prescribed by rule or order of the court. 561

(G) All moneys paid into a municipal court shall be noted on 562
the record of the case in which they are paid and shall be 563
deposited in a state or national bank, or a domestic savings and 564
loan association, as defined in section 1151.01 of the Revised 565
Code, that is selected by the clerk. Any interest received upon 566
the deposits shall be paid into the city treasury, except that, in 567
a county-operated municipal court, the interest shall be paid into 568
the treasury of the county in which the court is located. 569

On the first Monday in January of each year, the clerk shall 570
make a list of the titles of all cases in the court that were 571
finally determined more than one year past in which there remains 572
unclaimed in the possession of the clerk any funds, or any part of 573
a deposit for security of costs not consumed by the costs in the 574
case. The clerk shall give notice of the moneys to the parties who 575
are entitled to the moneys or to their attorneys of record. All 576
the moneys remaining unclaimed on the first day of April of each 577
year shall be paid by the clerk to the city treasurer, except 578
that, in a county-operated municipal court, the moneys shall be 579
paid to the treasurer of the county in which the court is located. 580
The treasurer shall pay any part of the moneys at any time to the 581
person who has the right to the moneys upon proper certification 582
of the clerk. 583

(H) Deputy clerks of a municipal court other than the Carroll 584
county municipal court may be appointed by the clerk and shall 585
receive the compensation, payable in either biweekly installments 586
or semimonthly installments, as determined by the payroll 587
administrator, out of the city treasury, that the clerk may 588
prescribe, except that the compensation of any deputy clerk of a 589
county-operated municipal court shall be paid out of the treasury 590
of the county in which the court is located. The judge of the 591
Carroll county municipal court may appoint deputy clerks for the 592
court, and the deputy clerks shall receive the compensation, 593

payable in biweekly installments out of the county treasury, that 594
the judge may prescribe. Each deputy clerk shall take an oath of 595
office before entering upon the duties of the deputy clerk's 596
office and, when so qualified, may perform the duties appertaining 597
to the office of the clerk. The clerk may require any of the 598
deputy clerks to give bond of not less than three thousand 599
dollars, conditioned for the faithful performance of the deputy 600
clerk's duties. 601

(I) For the purposes of this section, whenever the population 602
of the territory of a municipal court falls below one hundred 603
thousand but not below ninety thousand, and the population of the 604
territory prior to the most recent regular federal census exceeded 605
one hundred thousand, the legislative authority of the municipal 606
corporation may declare, by resolution, that the territory shall 607
be considered to have a population of at least one hundred 608
thousand. 609

(J) The clerk or a deputy clerk shall be in attendance at all 610
sessions of the municipal court, although not necessarily in the 611
courtroom, and may administer oaths to witnesses and jurors and 612
receive verdicts. 613

Sec. 1901.44. (A) If a person who has a current valid Ohio 614
driver's or commercial driver's license or temporary instruction 615
permit is charged with an offense in municipal court and either 616
fails to appear in court at the required time and place to answer 617
the charge or pleads guilty to or is found guilty of the offense 618
and fails within the time allowed by the court to pay any fine or 619
costs imposed by the court, the court may issue a declaration of 620
forfeiture of the person's license or permit. Within thirty days 621
after the issuance of a declaration of forfeiture, the court clerk 622
shall inform the registrar of motor vehicles of the forfeiture by 623
entering information relative to the forfeiture on a notice of 624

forfeiture form prescribed or approved by the registrar pursuant 625
to division (D) of this section and sending the completed form to 626
the registrar. The clerk also shall forward the person's license 627
or permit, if it is in the possession of the court, to the 628
registrar. 629

Upon receipt of a notice of forfeiture form, the registrar 630
shall impose a class F suspension of the driver's or commercial 631
driver's license or temporary instruction permit of the person who 632
is the subject of the form for the period of time specified in 633
division (B)(6) of section 4510.02 of the Revised Code. The 634
registrar shall send written notification of the suspension to the 635
person at the person's last known address and, if the person is in 636
possession of the license or permit, order the person to surrender 637
the license or permit to the registrar within forty-eight hours. 638

Neither the registrar nor any deputy registrar shall grant a 639
valid driver's or commercial driver's license or temporary 640
instruction permit to the person after the suspension unless the 641
court having jurisdiction of the offense that led to the 642
suspension orders the termination of the forfeiture. The court 643
shall order a termination of the forfeiture if the person appears 644
after the imposition of the suspension to answer the charge and 645
pays any fine and costs imposed by the court or pays the fine and 646
costs originally imposed by the court. The court shall inform the 647
registrar of the termination of the forfeiture by entering 648
information relative to the termination on a form prescribed or 649
approved by the registrar pursuant to division (D) of this section 650
and sending the completed form to the registrar. The person who is 651
the subject of the termination shall pay to the bureau of motor 652
vehicles a twenty-five-dollar reinstatement fee. The registrar 653
shall deposit fifteen dollars of the fee into the state treasury 654
to the credit of the state bureau of motor vehicles fund created 655
by section 4501.25 of the Revised Code to cover the costs of the 656

bureau in administering this section and shall deposit ten dollars 657
of the fee into the state treasury to the credit of the indigent 658
defense support fund created by section 120.08 of the Revised 659
Code. 660

(B) In addition to suspending the driver's or commercial 661
driver's license or temporary instruction permit of the person 662
named in a declaration of forfeiture, the registrar, upon receipt 663
from the court clerk of the notice of forfeiture form, shall take 664
any measures that may be necessary to ensure that neither the 665
registrar nor any deputy registrar accepts any application for the 666
registration or transfer of registration of any motor vehicle 667
owned or leased by the person named in the declaration of 668
forfeiture. However, for a motor vehicle leased by a person named 669
in a declaration of forfeiture, the registrar shall not implement 670
the preceding sentence until the registrar adopts procedures for 671
that implementation under section 4503.39 of the Revised Code. The 672
period of denial of registration or transfer shall continue until 673
the court with jurisdiction of the offense that led to the 674
suspension orders the termination of the forfeiture. Upon receipt 675
by the registrar of a termination of forfeiture form, the 676
registrar shall take any measures necessary to permit the person 677
to register a motor vehicle owned or leased by the person or to 678
transfer the registration of a motor vehicle owned or leased by 679
the person, if the person later applies to register or transfer 680
the registration of a motor vehicle and otherwise is eligible to 681
register the motor vehicle or to transfer its registration. 682

The registrar shall not restore the person's driving or 683
vehicle registration privileges until the person pays the 684
reinstatement fee as provided in this section. 685

The period of denial relating to the issuance or transfer of 686
a certificate of registration for a motor vehicle imposed pursuant 687
to this division remains in effect until the person pays any fine 688

and costs imposed by the court relative to the offense. 689

(C) If the court does not issue a declaration of forfeiture 690
of a person's license under division (A) of this section, it may 691
enter information relative to the person's failure to pay the fine 692
or costs on a form prescribed or approved by the registrar 693
pursuant to division (D) of this section and send the form to the 694
registrar. Upon receipt of the form, the registrar shall take any 695
measures necessary to ensure that neither the registrar nor any 696
deputy registrar does either of the following: 697

(1) Accepts any application from the person for a driver's 698
license, commercial driver's license, or temporary instruction 699
permit or for a renewal of a driver's license, commercial driver's 700
license, or temporary instruction permit until the fine or costs 701
are paid; 702

(2) Accepts any application for the registration or transfer 703
of registration of any motor vehicle owned or leased by the 704
person. However, for a motor vehicle leased by the person, the 705
registrar shall not implement this requirement until the registrar 706
adopts procedures for that implementation under section 4503.39 of 707
the Revised Code. 708

The period of denial relating to the issuance or renewal of a 709
driver's license, commercial driver's license, or temporary 710
instruction permit and the issuance or transfer of a certificate 711
of registration for a motor vehicle imposed under division (C) of 712
this section remains in effect until the person pays any fine or 713
costs imposed by the court relative to the offense. When the fine 714
or costs have been paid in full, the court shall inform the 715
registrar of the payment by entering information relative to the 716
payment on a notice of payment form prescribed or approved by the 717
registrar pursuant to division (D) of this section and sending the 718
form to the registrar. 719

(D) The registrar shall prescribe and make available to municipal courts forms to be used for a notice of forfeiture and a notice of termination under division (A) of this section and a notice of failure to pay fines or costs and a notice of payment of fines or costs under division (C) of this section. The registrar may approve the use of other forms for these purposes.

The registrar may require that any of the forms prescribed or approved pursuant to this section be transmitted to the registrar electronically. If the registrar requires electronic transmission, the registrar shall not be required to give effect to any form that is not transmitted electronically.

Sec. 1905.202. (A) If a person who has a current valid Ohio driver's or commercial driver's license or temporary instruction permit is charged with an offense in mayor's court and either fails to appear in court at the required time and place to answer the charge or pleads guilty to or is found guilty of the offense and fails within the time allowed by the court to pay any fine or costs imposed by the court, the court may issue a declaration of forfeiture of the person's license or permit. Within thirty days after the issuance of a declaration of forfeiture, the court clerk shall inform the registrar of motor vehicles of the forfeiture by entering information relative to the forfeiture on a notice of forfeiture form prescribed or approved by the registrar pursuant to division (D) of this section and sending the completed form to the registrar. The clerk also shall forward the person's license or permit, if it is in the possession of the court, to the registrar.

Upon receipt of a notice of forfeiture form, the registrar shall impose a class F suspension of the driver's or commercial driver's license or temporary instruction permit of the person who is the subject of the form for the period of time specified in

division (B)(6) of section 4510.02 of the Revised Code. The 751
registrar shall send written notification of the suspension to the 752
person at the person's last known address and, if the person is in 753
possession of the license or permit, order the person to surrender 754
the license or permit to the registrar within forty-eight hours. 755

Neither the registrar nor any deputy registrar shall grant a 756
valid driver's or commercial driver's license or temporary 757
instruction permit to the person after the suspension unless the 758
court having jurisdiction of the offense that led to the 759
suspension orders the termination of the forfeiture. The court 760
shall order a termination of the forfeiture if the person appears 761
after the imposition of the suspension to answer the charge and 762
pays any fine and costs imposed by the court or pays the fine and 763
costs originally imposed by the court. The court shall inform the 764
registrar of the termination of the forfeiture by entering 765
information relative to the termination on a form prescribed or 766
approved by the registrar pursuant to division (D) of this section 767
and sending the completed form to the registrar. The person who is 768
the subject of the termination shall pay to the bureau of motor 769
vehicles a twenty-five-dollar reinstatement fee. The registrar 770
shall deposit fifteen dollars of the fee into the state treasury 771
to the credit of the state bureau of motor vehicles fund created 772
by section 4501.25 of the Revised Code to cover the costs of the 773
bureau in administering this section and shall deposit ten dollars 774
of the fee into the state treasury to the credit of the indigent 775
defense support fund created by section 120.08 of the Revised 776
Code. 777

(B) In addition to suspending the driver's or commercial 778
driver's license or temporary instruction permit of the person 779
named in a declaration of forfeiture, the registrar, upon receipt 780
from the court clerk of the notice of forfeiture form, shall take 781
any measures that may be necessary to ensure that neither the 782

registrar nor any deputy registrar accepts any application for the 783
registration or transfer of registration of any motor vehicle 784
owned or leased by the person named in the declaration of 785
forfeiture. However, for a motor vehicle leased by a person named 786
in a declaration of forfeiture, the registrar shall not implement 787
the preceding sentence until the registrar adopts procedures for 788
that implementation under section 4503.39 of the Revised Code. The 789
period of denial of registration or transfer shall continue until 790
the court with jurisdiction of the offense that led to the 791
suspension orders the termination of the forfeiture. Upon receipt 792
by the registrar of a termination of forfeiture form, the 793
registrar shall take any measures necessary to permit the person 794
to register a motor vehicle owned or leased by the person or to 795
transfer the registration of a motor vehicle owned or leased by 796
the person, if the person later applies to register or transfer 797
the registration of a motor vehicle and otherwise is eligible to 798
register the motor vehicle or to transfer its registration. 799

The registrar shall not restore the person's driving or 800
vehicle registration privileges until the person pays the 801
reinstatement fee as provided in this section. 802

The period of denial relating to the issuance or transfer of 803
a certificate of registration for a motor vehicle imposed pursuant 804
to this division remains in effect until the person pays any fine 805
and costs imposed by the court relative to the offense. 806

(C) If the court does not issue a declaration of forfeiture 807
of a person's license under division (A) of this section, it may 808
enter information relative to the person's failure to pay the fine 809
or costs on a form prescribed or approved by the registrar 810
pursuant to division (D) of this section and send the form to the 811
registrar. Upon receipt of the form, the registrar shall take any 812
measures necessary to ensure that neither the registrar nor any 813
deputy registrar does either of the following: 814

(1) Accepts any application from the person for a driver's license, commercial driver's license, or temporary instruction permit or for a renewal of a driver's license, commercial driver's license, or temporary instruction permit until the fine or costs are paid; 815
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(2) Accepts any application for the registration or transfer of registration of any motor vehicle owned or leased by the person. However, for a motor vehicle leased by the person, the registrar shall not implement this requirement until the registrar adopts procedures for that implementation under section 4503.39 of the Revised Code. 820
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The period of denial relating to the issuance or renewal of a driver's license, commercial driver's license, or temporary instruction permit and the issuance or transfer of a certificate of registration for a motor vehicle imposed under division (C) of this section remains in effect until the person pays any fine or costs imposed by the court relative to the offense. When the fine or costs have been paid in full, the court shall inform the registrar of the payment by entering information relative to the payment on a notice of payment form prescribed or approved by the registrar pursuant to division (D) of this section and sending the form to the registrar. 826
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(D) The registrar shall prescribe and make available to mayor's courts forms to be used for a notice of forfeiture and a notice of termination under division (A) of this section and a notice of failure to pay fines or costs and a notice of payment of fines or costs under division (C) of this section. The registrar may approve the use of other forms for these purposes. 837
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The registrar may require that any of the forms prescribed or approved pursuant to this section be transmitted to the registrar electronically. If the registrar requires electronic transmission, the registrar shall not be required to give effect to any form 843
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that is not transmitted electronically. 847

Sec. 1905.33. (A) As used in this section, "unpaid court costs, fees, or fines" means any court costs, fees, or fines that an obligor has not paid to the appropriate court at least two years after the date on which the obligor was required by the court or by a statute or rule to pay the court costs, fees, or fines. 848
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(B) The mayor's court shall work with the tax commissioner to collect unpaid court costs, fees, or fines from refunds of state income taxes that are payable to obligors. 854
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(C) A mayor's court may collect any unpaid court costs, fees, or fines under this section. Any reduction under section 5747.12, 5747.121, 5747.122, or 5747.123 of the Revised Code to an income tax refund shall be made before a reduction under this section. No reduction shall be made under this section if the amount of the refund is less than twenty-five dollars after any reduction under section 5747.12 of the Revised Code. A reduction under this section shall be made before any part of the refund is contributed under section 5747.113 of the Revised Code or is credited under section 5747.12 of the Revised Code against tax due in any subsequent year. 857
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(D) The court and the tax commissioner, by rules adopted in accordance with Chapter 119. of the Revised Code, shall establish procedures to implement this section. The procedures shall provide for notice to an obligor of unpaid court costs, fees, or fines and an opportunity for the obligor to be heard before the obligor's income tax refund is reduced. 868
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Sec. 1907.20. (A) The clerk of courts shall be the clerk of the county court, except that the board of county commissioners, with the concurrence of the county court judges, may appoint a 874
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clerk for each county court judge, who shall serve at the pleasure 877
of the board and shall receive compensation as set by the board, 878
payable in semimonthly installments from the treasury of the 879
county. An appointed clerk, before entering upon the duties of the 880
office, shall give bond of not less than five thousand dollars, as 881
determined by the board of county commissioners, conditioned upon 882
the faithful performance of the clerk's duties. 883

The clerks of courts of common pleas, when acting as the 884
clerks of county courts, and upon assuming their county court 885
duties, shall receive compensation at one-fourth the rate 886
prescribed for the clerks of courts of common pleas as determined 887
in accordance with the population of the county and the rates set 888
forth in sections 325.08 and 325.18 of the Revised Code. This 889
compensation shall be paid from the county treasury in semimonthly 890
installments and is in addition to the annual compensation 891
received for the performance of the duties of the clerk of a court 892
of common pleas as provided in sections 325.08 and 325.18 of the 893
Revised Code. 894

(B) The clerk of a county court shall have general powers to 895
administer oaths, take affidavits, and issue executions upon any 896
judgment rendered in the county court, including a judgment for 897
unpaid costs, power to issue and sign all writs, process, 898
subpoenas, and papers issuing out of the court, and to attach the 899
seal of the court to them, and power to approve all bonds, 900
sureties, recognizances, and undertakings fixed by any judge of 901
the court or by law. The clerk shall file and safely keep all 902
journals, records, books, and papers belonging or appertaining to 903
the court, record its proceedings, perform all other duties that 904
the judges of the court may prescribe, and keep a book showing all 905
receipts and disbursements, which shall be open for public 906
inspection at all times. The clerk may refuse to accept for filing 907
any pleading or paper submitted for filing by a person who has 908

been found to be a vexatious litigator under section 2323.52 of 909
the Revised Code and who has failed to obtain leave to proceed 910
under that section. 911

The clerk shall prepare and maintain a general index, a 912
docket as prescribed by the court, which shall be furnished by the 913
board of county commissioners, and such other records as the 914
court, by rule, requires, all of which shall be the public records 915
of the court. In the docket, the clerk shall enter at times of the 916
commencement of an action, the names of the parties in full, the 917
names of the counsel, and the nature of the proceedings. Under 918
proper dates, the clerk shall note the filing of the complaint, 919
issuing of summons or other process, returns, and pleadings 920
subsequent thereto. The clerk also shall enter all reports, 921
verdicts, orders, judgments, and proceedings of the court, clearly 922
specifying the relief granted or orders made in each action. The 923
court may order an extended record of any of the above to be made 924
and entered, under the proper action heading, upon the docket at 925
the request of any party to the case, the expense of which may be 926
taxed as costs in the case or may be required to be prepaid by the 927
party demanding the extended record, upon order of the court. 928

(C) The clerk of a county court shall receive and collect all 929
costs, fees, fines, penalties, bail, and other moneys payable to 930
the office or to any officer of the court and issue receipts 931
therefor, and shall on or before the twentieth day of each month 932
disburse the costs, fees, fines, penalties, bail, and other moneys 933
to the proper persons or officers and take receipts therefor. 934
Subject to sections 307.515, 4511.19, 4511.193, and 5503.04 of the 935
Revised Code and all other statutes that require a different 936
distribution of fines, fines received for violations of municipal 937
ordinances shall be paid into the treasury of the municipal 938
corporation whose ordinance was violated, fines received for 939
violations of township resolutions adopted pursuant to section 940

503.52 or 503.53 or Chapter 504. of the Revised Code shall be paid 941
into the treasury of the township whose resolution was violated, 942
and fines collected for the violation of state laws shall be paid 943
into the county treasury. Moneys deposited as security for costs 944
shall be retained pending the litigation. 945

The clerk shall keep a separate account of all receipts and 946
disbursements in civil and criminal cases. The separate account 947
shall be a permanent public record of the office. On the 948
expiration of a clerk's term, those records shall be delivered to 949
the clerk's successor. 950

The clerk shall have such other powers and duties as are 951
prescribed by rule or order of the court. 952

(D) All moneys paid into a county court shall be noted on the 953
record of the case in which they are paid and shall be deposited 954
in a state or national bank selected by the clerk. On the first 955
Monday in January of each year, the clerk shall make a list of the 956
titles of all cases in the county court that were finally 957
determined more than one year past in which there remains 958
unclaimed in the possession of the clerk any funds, or any part of 959
a deposit for security of costs not consumed by the costs in the 960
case. The clerk shall give notice of the moneys to the parties 961
entitled to them or to their attorneys of record. All the moneys 962
remaining unclaimed on the first day of April of each year shall 963
be paid by the clerk to the county treasurer. Any part of the 964
moneys shall be paid by the county treasurer at any time to the 965
person having the right to them, upon proper certification of the 966
clerk. 967

(E)(1) In county court districts having appointed clerks, 968
deputy clerks may be appointed by the board of county 969
commissioners. Clerks and deputy clerks shall receive such 970
compensation payable in semimonthly installments out of the county 971
treasury as the board may prescribe. Each deputy clerk shall take 972

an oath of office before entering upon the duties of the deputy clerk's office and, when so qualified, may perform the duties appertaining to the office of the clerk. The clerk may require any of the deputy clerks to give bond of not less than three thousand dollars, conditioned for the faithful performance of the deputy clerk's duties.

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

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

(F)(1) In county court districts having appointed clerks, the board of county commissioners may order the establishment of one or more branch offices of the clerk and, with the concurrence of the county judges, may appoint a special deputy clerk to administer each branch office. Each special deputy clerk shall take an oath of office before entering upon the duties of the deputy clerk's office and, when so qualified, may perform any one or more of the duties appertaining to the office of clerk, as the board prescribes. Special deputy clerks shall receive such compensation payable in semimonthly installments out of the county treasury as the board may prescribe. The board may require any of the special deputy clerks to give bond of not less than three thousand dollars, conditioned for the faithful performance of the deputy clerk's duties.

The board of county commissioners may authorize the clerk of

the county court to operate one or more branch offices, to divide 1005
the clerk's time between the offices, and to perform duties 1006
appertaining to the office of clerk in locations that the board 1007
prescribes. 1008

(2) A clerk of courts acting as clerk of the county court may 1009
establish one or more branch offices for the clerk's duties as 1010
clerk of the county court and, with the concurrence of the county 1011
court judges, may appoint a special deputy clerk to administer 1012
each branch office. Each special deputy clerk shall take an oath 1013
of office before entering upon the deputy clerk's duties and, when 1014
so qualified, may perform any of the duties pertaining to the 1015
office of clerk, as the clerk of courts prescribes. The clerk of 1016
courts may require any of the special deputy clerks to give bond 1017
of not less than three thousand dollars, conditioned for the 1018
faithful performance of the deputy clerk's duties. 1019

(G) The clerk of courts of the county shall fix the 1020
compensation of deputy clerks and special deputy clerks appointed 1021
by the clerk pursuant to this section. Those personnel shall be 1022
paid and be subject to the same requirements as other employees of 1023
the clerk under the provisions of section 325.17 of the Revised 1024
Code insofar as that section is applicable. 1025

Sec. 1907.25. (A) If a person who has a current valid Ohio 1026
driver's or commercial driver's license or temporary instruction 1027
permit is charged with an offense in county court and either fails 1028
to appear in court at the required time and place to answer the 1029
charge or pleads guilty to or is found guilty of the offense and 1030
fails within the time allowed by the court to pay any fine or 1031
costs imposed by the court, the court may issue a declaration of 1032
forfeiture of the person's license or permit. Within thirty days 1033
after the issuance of a declaration of forfeiture, the court clerk 1034
shall inform the registrar of motor vehicles of the forfeiture by 1035

entering information relative to the forfeiture on a notice of 1036
forfeiture form prescribed or approved by the registrar pursuant 1037
to division (D) of this section and sending the completed form to 1038
the registrar. The clerk also shall forward the person's license 1039
or permit, if it is in the possession of the court, to the 1040
registrar. 1041

Upon receipt of a notice of forfeiture form, the registrar 1042
shall impose a class F suspension of the driver's or commercial 1043
driver's license or temporary instruction permit of the person who 1044
is the subject of the form for the period of time specified in 1045
division (B)(6) of section 4510.02 of the Revised Code. The 1046
registrar shall send written notification of the suspension to the 1047
person at the person's last known address and, if the person is in 1048
possession of the license or permit, order the person to surrender 1049
the license or permit to the registrar within forty-eight hours. 1050

Neither the registrar nor any deputy registrar shall grant a 1051
valid driver's or commercial driver's license or temporary 1052
instruction permit to the person after the suspension unless the 1053
court having jurisdiction of the offense that led to the 1054
suspension orders the termination of the forfeiture. The court 1055
shall order a termination of the forfeiture if the person appears 1056
after the imposition of the suspension to answer the charge and 1057
pays any fine and costs imposed by the court or pays the fine and 1058
costs originally imposed by the court. The court shall inform the 1059
registrar of the termination of the forfeiture by entering 1060
information relative to the termination on a form prescribed or 1061
approved by the registrar pursuant to division (D) of this section 1062
and sending the completed form to the registrar. The person who is 1063
the subject of the termination shall pay to the bureau of motor 1064
vehicles a twenty-five-dollar reinstatement fee. The registrar 1065
shall deposit fifteen dollars of the fee into the state treasury 1066
to the credit of the state bureau of motor vehicles fund created 1067

by section 4501.25 of the Revised Code to cover the costs of the 1068
bureau in administering this section and shall deposit ten dollars 1069
of the fee into the state treasury to the credit of the indigent 1070
defense support fund created by section 120.08 of the Revised 1071
Code. 1072

(B) In addition to suspending the driver's or commercial 1073
driver's license or temporary instruction permit of the person 1074
named in a declaration of forfeiture, the registrar, upon receipt 1075
from the court clerk of the notice of forfeiture form, shall take 1076
any measures that may be necessary to ensure that neither the 1077
registrar nor any deputy registrar accepts any application for the 1078
registration or transfer of registration of any motor vehicle 1079
owned or leased by the person named in the declaration of 1080
forfeiture. However, for a motor vehicle leased by a person named 1081
in a declaration of forfeiture, the registrar shall not implement 1082
the preceding sentence until the registrar adopts procedures for 1083
that implementation under section 4503.39 of the Revised Code. The 1084
period of denial of registration or transfer shall continue until 1085
the court with jurisdiction of the offense that led to the 1086
suspension orders the termination of the forfeiture. Upon receipt 1087
by the registrar of a termination of forfeiture form, the 1088
registrar shall take any measures necessary to permit the person 1089
to register a motor vehicle owned or leased by the person or to 1090
transfer the registration of a motor vehicle owned or leased by 1091
the person, if the person later applies to register or transfer 1092
the registration of a motor vehicle and otherwise is eligible to 1093
register the motor vehicle or to transfer its registration. 1094

The registrar shall not restore the person's driving or 1095
vehicle registration privileges until the person pays the 1096
reinstatement fee as provided in this section. 1097

The period of denial relating to the issuance or transfer of 1098
a certificate of registration for a motor vehicle imposed pursuant 1099

to this division remains in effect until the person pays any fine and costs imposed by the court relative to the offense. 1100
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(C) If the court does not issue a declaration of forfeiture of a person's license under division (A) of this section, it may enter information relative to the person's failure to pay the fine or costs on a form prescribed or approved by the registrar pursuant to division (D) of this section and send the form to the registrar. Upon receipt of the form, the registrar shall take any measures necessary to ensure that neither the registrar nor any deputy registrar does either of the following: 1102
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(1) Accepts any application from the person for a driver's license, commercial driver's license, or temporary instruction permit or for a renewal of a driver's license, commercial driver's license, or temporary instruction permit until the fine or costs are paid; 1110
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(2) Accepts any application for the registration or transfer of registration of any motor vehicle owned or leased by the person. However, for a motor vehicle leased by the person, the registrar shall not implement this requirement until the registrar adopts procedures for that implementation under section 4503.39 of the Revised Code. 1115
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The period of denial relating to the issuance or renewal of a driver's license, commercial driver's license, or temporary instruction permit and the issuance or transfer of a certificate of registration for a motor vehicle imposed under division (C) of this section remains in effect until the person pays any fine or costs imposed by the court relative to the offense. When the fine or costs have been paid in full, the court shall inform the registrar of the payment by entering information relative to the payment on a notice of payment form prescribed or approved by the registrar pursuant to division (D) of this section and sending the form to the registrar. 1121
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(D) The registrar shall prescribe and make available to 1132
county courts forms to be used for a notice of forfeiture and a 1133
notice of termination under division (A) of this section and a 1134
notice of failure to pay fines or costs and a notice of payment of 1135
fines or costs under division (C) of this section. The registrar 1136
may approve the use of other forms for these purposes. 1137

The registrar may require that any of the forms prescribed or 1138
approved pursuant to this section be transmitted to the registrar 1139
electronically. If the registrar requires electronic transmission, 1140
the registrar shall not be required to give effect to any form 1141
that is not transmitted electronically. 1142

Sec. 1907.26. Judges of a county court shall not retain any 1143
of the costs or fees specified in the schedules adopted pursuant 1144
to section 1907.24 of the Revised Code nor shall they retain a fee 1145
for performing a marriage ceremony. Those costs and fees that 1146
cannot be retained shall be transmitted to the general fund of the 1147
county on or before the ~~first business~~ twentieth day of each 1148
month. 1149

Sec. 1907.261. (A)(1) A county court may determine that for 1150
the efficient operation of the court additional funds are required 1151
to computerize the court, to make available computerized legal 1152
research services, or to do both. Upon making a determination that 1153
additional funds are required for either or both of those 1154
purposes, the court shall include in its schedule of fees and 1155
costs under section 1907.24 of the Revised Code one additional fee 1156
not to exceed three dollars on the filing of each cause of action 1157
or appeal equivalent to one described in division (A), (Q), or (U) 1158
of section 2303.20 of the Revised Code and shall direct the clerk 1159
of the court to charge the fee. 1160

(2) All fees collected under this section shall be paid on or 1161

before the twentieth day of each month to the county treasurer. 1162
The treasurer shall place the funds from the fees in a separate 1163
fund to be disbursed upon an order of the court in an amount not 1164
greater than the actual cost to the court of computerizing the 1165
court, procuring and maintaining computerized legal research 1166
services, or both. 1167

(3) If the court determines that the funds in the fund 1168
described in division (A)(2) of this section are more than 1169
sufficient to satisfy the purpose for which the additional fee 1170
described in division (A)(1) of this section was imposed, the 1171
court may declare a surplus in the fund and expend those surplus 1172
funds for other appropriate technological expenses of the court. 1173

(B)(1) A county court may determine that, for the efficient 1174
operation of the court, additional funds are required to 1175
computerize the office of the clerk of the court and, upon that 1176
determination, may include in its schedule of fees and costs under 1177
section 1907.24 of the Revised Code an additional fee not to 1178
exceed ten dollars on the filing of each cause of action or 1179
appeal, on the filing, docketing, and endorsing of each 1180
certificate of judgment, or on the docketing and indexing of each 1181
aid in execution or petition to vacate, revive, or modify a 1182
judgment that is equivalent to one described in division (A), (P), 1183
(Q), (T), or (U) of section 2303.20 of the Revised Code. Subject 1184
to division (B)(2) of this section, all moneys collected under 1185
division (B)(1) of this section shall be paid on or before the 1186
twentieth day of each month to the county treasurer. The treasurer 1187
shall place the funds from the fees in a separate fund to be 1188
disbursed, upon an order of the county court and subject to an 1189
appropriation by the board of county commissioners, in an amount 1190
no greater than the actual cost to the court of procuring and 1191
maintaining computer systems for the office of the clerk of the 1192
county court. 1193

(2) If a county court makes the determination described in 1194
division (B)(1) of this section, the board of county commissioners 1195
of that county may issue one or more general obligation bonds for 1196
the purpose of procuring and maintaining the computer systems for 1197
the office of the clerk of the county court. In addition to the 1198
purposes stated in division (B)(1) of this section for which the 1199
moneys collected under that division may be expended, the moneys 1200
additionally may be expended to pay debt charges and financing 1201
costs related to any general obligation bonds issued pursuant to 1202
division (B)(2) of this section as they become due. General 1203
obligation bonds issued pursuant to division (B)(2) of this 1204
section are Chapter 133. securities. 1205

Sec. 1907.263. (A) As used in this section, "unpaid court 1206
costs, fees, or fines" means any court costs, fees, or fines that 1207
an obligor has not paid to the appropriate court at least two 1208
years after the date on which the obligor was required by the 1209
court or by a statute or rule to pay the court costs, fees, or 1210
finances. 1211

(B) The county court shall work with the tax commissioner to 1212
collect unpaid court costs, fees, or fines from refunds of state 1213
income taxes that are payable to obligors. 1214

(C) A county court may collect any unpaid court costs, fees, 1215
or fines under this section. Any reduction under section 5747.12, 1216
5747.121, 5747.122, or 5747.123 of the Revised Code to an income 1217
tax refund shall be made before a reduction under this section. No 1218
reduction shall be made under this section if the amount of the 1219
refund is less than twenty-five dollars after any reduction under 1220
section 5747.12 of the Revised Code. A reduction under this 1221
section shall be made before any part of the refund is contributed 1222
under section 5747.113 of the Revised Code or is credited under 1223
section 5747.12 of the Revised Code against tax due in any 1224

subsequent year. 1225

(D) The court and the tax commissioner, by rules adopted in 1226
accordance with Chapter 119. of the Revised Code, shall establish 1227
procedures to implement this section. The procedures shall provide 1228
for notice to an obligor of unpaid court costs, fees, or fines and 1229
an opportunity for the obligor to be heard before the obligor's 1230
income tax refund is reduced. 1231

Sec. 2303.203. (A) There is hereby created the committee on 1232
court costs, consisting of the following ten members: 1233

(1) Two members of the public appointed by the speaker of the 1234
house of representatives; 1235

(2) Two members of the public appointed by the president of 1236
the senate; 1237

(3) One member of the public appointed by the chief justice 1238
of the Ohio supreme court; 1239

(4) One municipal clerk of court appointed by the Ohio 1240
association of municipal/county court clerks; 1241

(5) One clerk of the court of common pleas appointed by the 1242
Ohio clerk of courts association; 1243

(6) One municipal judge appointed by the association of 1244
municipal/county judges of Ohio; 1245

(7) One judge of the court of common pleas appointed by the 1246
Ohio common pleas judges association; 1247

(8) One court administrator appointed by the Ohio association 1248
for court administration. 1249

(B) The appointments to the committee shall be made not later 1250
than ninety days after the effective date of this section. 1251
Vacancies on the committee shall be filled in the manner provided 1252
for the original appointments. 1253

(C) The terms of office of the members of the committee shall 1254
be two years. 1255

(D) The committee shall select the chairperson and 1256
vice-chairperson of the committee. 1257

(E) The committee shall meet annually at a time and place to 1258
be determined by the members of the committee. The members of the 1259
committee shall serve without compensation. 1260

(F) The committee shall study the impact of court costs on 1261
court operations. Based on the committee's findings, the committee 1262
shall prepare recommendations for any changes that the committee 1263
believes are necessary to the current system for court costs. 1264

(G) The committee shall submit written findings and 1265
recommendations to the chief justice of the Ohio supreme court, 1266
the governor, the speaker of the house of representatives, and the 1267
president of the senate. 1268

Sec. 4503.39. With regard to a motor vehicle leased by or in 1269
the name of a person named in a suspension order or who is 1270
precluded from registering or transferring registration of a motor 1271
vehicle because of a failure to pay a fine or court costs, the 1272
registrar of motor vehicles shall adopt procedures as indicated in 1273
division (C)(2) of section 1901.44, division (C)(2) of section 1274
1905.202, division (C)(2) of section 1907.25, division (D) of 1275
section 2935.27, division (A) of section 2937.221, and division 1276
(B) of section 4510.22 of the Revised Code. The procedures shall 1277
prescribe the information and methodology necessary to implement 1278
those divisions. 1279

Sec. 5747.124. (A) The tax commissioner, in accordance with 1280
sections 1901.263, 1905.33, and 1907.263 of the Revised Code, 1281
shall cooperate with municipal courts, mayor's courts, and county 1282
courts to collect unpaid court costs, fees, or fines imposed by 1283

those courts from refunds of state income taxes that are payable 1284
to the obligors of those unpaid court costs, fees, or fines. 1285

(B) At the request of a municipal court, mayor's court, or 1286
county court in connection with the collection of unpaid court 1287
costs, fees, or fines from a refund of state income tax returns 1288
pursuant to this section and section 1901.263, 1905.33, or 1289
1907.263 of the Revised Code, the tax commissioner shall release 1290
to the court the home address and social security number of any 1291
obligor of unpaid court costs, fees, or fines whose nonpayment of 1292
those court costs, fees, or fines may be collected from a refund 1293
of state income taxes under those sections. 1294

(C) In the case of a joint income tax return for two people 1295
who were not married to each other at the time one of them had not 1296
paid any court costs, fees, or fines imposed by the court, only 1297
the portion of a refund that is due to the obligor of the court 1298
costs, fees, or fines shall be available for collection of the 1299
unpaid court costs, fees, or fines under this section and section 1300
1901.263, 1905.33, or 1907.263 of the Revised Code. The tax 1301
commissioner shall determine that portion. An obligor's spouse who 1302
objects to the portion as determined by the commissioner may file 1303
a complaint with the commissioner within twenty-one days after 1304
receiving notice of the collection, and the commissioner shall 1305
afford the spouse an opportunity to be heard on the complaint. The 1306
commissioner shall waive or extend the twenty-one-day period if 1307
the obligor's spouse establishes that such action is necessary to 1308
avoid unjust, unfair, or unreasonable results. After the hearing, 1309
the commissioner shall make a final determination of the portion 1310
of the refund available for collection of unpaid court costs, 1311
fees, or fines. 1312

Section 2. That existing sections 1901.261, 1901.31, 1907.20, 1313
1907.26, 1907.261, and 4503.39 of the Revised Code are hereby 1314

repealed. 1315

Section 3. Section 1901.31 of the Revised Code is presented 1316
in this act as a composite of the section as amended by Am. Sub. 1317
H.B. 48, Am. Sub. H.B. 238, and Sub. H.B. 338, all of the 128th 1318
General Assembly. The General Assembly, applying the principle 1319
stated in division (B) of section 1.52 of the Revised Code that 1320
amendments are to be harmonized if reasonably capable of 1321
simultaneous operation, finds that the composite is the resulting 1322
version of the section in effect prior to the effective date of 1323
the section as presented in this act. 1324