

As Reported by the House Judiciary and Ethics Committee

129th General Assembly

Regular Session

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Sub. H. B. No. 197

Representative Slesnick

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

Yuko

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A B I L L

To amend sections 1901.261, 1901.31, 1907.20, 1
1907.26, 1907.261, 4503.39, and 5503.02 and to 2
enact sections 1901.44, 1905.202, 1907.25, and 3
2947.09 of the Revised Code to require that all 4
moneys collected by the clerk of a municipal or 5
county court be paid to the appropriate person, 6
fund, or entity on or before the twentieth day of 7
the month following the month in which they are 8
collected; to authorize a municipal, mayor's, or 9
county court to require community service in lieu 10
of costs if at the time of sentencing or any time 11
after sentencing the court finds that the offender 12
cannot pay costs; to authorize a municipal, 13
mayor's, or county court to allow payment of costs 14
in installments if at the time of sentencing or at 15
any time after sentencing the court finds that the 16
offender will not be able to pay costs in full 17
when due; to ensure that neither the Registrar of 18
Motor Vehicles nor any deputy registrar accepts 19
any application for the registration or transfer 20
of registration of a motor vehicle of a person who 21
fails to pay any fine or costs imposed for 22

offenses by a common pleas, municipal, mayor's, or 23
county court; and to clarify the authority of the 24
State Highway Patrol to enforce criminal laws at 25
privately owned correctional facilities. 26

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

Section 1. That sections 1901.261, 1901.31, 1907.20, 1907.26, 27
1907.261, 4503.39, and 5503.02 be amended and sections 1901.44, 28
1905.202, 1907.25, and 2947.09 of the Revised Code be enacted to 29
read as follows: 30

Sec. 1901.261. (A)(1) A municipal court may determine that 31
for the efficient operation of the court additional funds are 32
required to computerize the court, to make available computerized 33
legal research services, or to do both. Upon making a 34
determination that additional funds are required for either or 35
both of those purposes, the court shall include in its schedule of 36
fees and costs under section 1901.26 of the Revised Code one 37
additional fee not to exceed three dollars on the filing of each 38
cause of action or appeal equivalent to one described in division 39
(A), (Q), or (U) of section 2303.20 of the Revised Code and shall 40
direct the clerk of the court to charge the fee. 41

(2) All fees collected under this section shall be paid on or 42
before the twentieth day of the month following the month in which 43
they are collected to the county treasurer if the court is a 44
county-operated municipal court or to the city treasurer if the 45
court is not a county-operated municipal court. The treasurer 46
shall place the funds from the fees in a separate fund to be 47
disbursed upon an order of the court, subject to an appropriation 48
by the board of county commissioners if the court is a 49
county-operated municipal court or by the legislative authority of 50
the municipal corporation if the court is not a county-operated 51

municipal court, or upon an order of the court, subject to the 52
court making an annual report available to the public listing the 53
use of all such funds, in an amount not greater than the actual 54
cost to the court of computerizing the court, procuring and 55
maintaining computerized legal research services, or both. 56

(3) If the court determines that the funds in the fund 57
described in division (A)(2) of this section are more than 58
sufficient to satisfy the purpose for which the additional fee 59
described in division (A)(1) of this section was imposed, the 60
court may declare a surplus in the fund and, subject to an 61
appropriation by the board of county commissioners if the court is 62
a county-operated municipal court or by the legislative authority 63
of the municipal corporation if the court is not a county-operated 64
municipal court, expend those surplus funds, or upon an order of 65
the court, subject to the court making an annual report available 66
to the public listing the use of all such funds, expend those 67
surplus funds, for other appropriate technological expenses of the 68
court. 69

(B)(1) A municipal court may determine that, for the 70
efficient operation of the court, additional funds are required to 71
computerize the office of the clerk of the court and, upon that 72
determination, may include in its schedule of fees and costs under 73
section 1901.26 of the Revised Code an additional fee not to 74
exceed ten dollars on the filing of each cause of action or 75
appeal, on the filing, docketing, and endorsing of each 76
certificate of judgment, or on the docketing and indexing of each 77
aid in execution or petition to vacate, revive, or modify a 78
judgment that is equivalent to one described in division (A), (P), 79
(Q), (T), or (U) of section 2303.20 of the Revised Code. Subject 80
to division (B)(2) of this section, all moneys collected under 81
division (B)(1) of this section shall be paid on or before the 82
twentieth day of the month following the month in which they are 83

collected to the county treasurer if the court is a 84
county-operated municipal court or to the city treasurer if the 85
court is not a county-operated municipal court. The treasurer 86
shall place the funds from the fees in a separate fund to be 87
disbursed, upon an order of the municipal court and subject to an 88
appropriation by the board of county commissioners if the court is 89
a county-operated municipal court or by the legislative authority 90
of the municipal corporation if the court is not a county-operated 91
municipal court, in an amount no greater than the actual cost to 92
the court of procuring and maintaining computer systems for the 93
office of the clerk of the municipal court. 94

(2) If a municipal court makes the determination described in 95
division (B)(1) of this section, the board of county commissioners 96
of the county if the court is a county-operated municipal court or 97
the legislative authority of the municipal corporation if the 98
court is not a county-operated municipal court, may issue one or 99
more general obligation bonds for the purpose of procuring and 100
maintaining the computer systems for the office of the clerk of 101
the municipal court. In addition to the purposes stated in 102
division (B)(1) of this section for which the moneys collected 103
under that division may be expended, the moneys additionally may 104
be expended to pay debt charges and financing costs related to any 105
general obligation bonds issued pursuant to division (B)(2) of 106
this section as they become due. General obligation bonds issued 107
pursuant to division (B)(2) of this section are Chapter 133. 108
securities. 109

Sec. 1901.31. The clerk and deputy clerks of a municipal 110
court shall be selected, be compensated, give bond, and have 111
powers and duties as follows: 112

(A) There shall be a clerk of the court who is appointed or 113
elected as follows: 114

(1)(a) Except in the Akron, Barberton, Toledo, Hamilton 115
county, Miami county, Montgomery county, Portage county, and Wayne 116
county municipal courts and through December 31, 2008, the 117
Cuyahoga Falls municipal court, if the population of the territory 118
equals or exceeds one hundred thousand at the regular municipal 119
election immediately preceding the expiration of the term of the 120
present clerk, the clerk shall be nominated and elected by the 121
qualified electors of the territory in the manner that is provided 122
for the nomination and election of judges in section 1901.07 of 123
the Revised Code. 124

The clerk so elected shall hold office for a term of six 125
years, which term shall commence on the first day of January 126
following the clerk's election and continue until the clerk's 127
successor is elected and qualified. 128

(b) In the Hamilton county municipal court, the clerk of 129
courts of Hamilton county shall be the clerk of the municipal 130
court and may appoint an assistant clerk who shall receive the 131
compensation, payable out of the treasury of Hamilton county in 132
semimonthly installments, that the board of county commissioners 133
prescribes. The clerk of courts of Hamilton county, acting as the 134
clerk of the Hamilton county municipal court and assuming the 135
duties of that office, shall receive compensation at one-fourth 136
the rate that is prescribed for the clerks of courts of common 137
pleas as determined in accordance with the population of the 138
county and the rates set forth in sections 325.08 and 325.18 of 139
the Revised Code. This compensation shall be paid from the county 140
treasury in semimonthly installments and is in addition to the 141
annual compensation that is received for the performance of the 142
duties of the clerk of courts of Hamilton county, as provided in 143
sections 325.08 and 325.18 of the Revised Code. 144

(c) In the Portage county and Wayne county municipal courts, 145
the clerks of courts of Portage county and Wayne county shall be 146

the clerks, respectively, of the Portage county and Wayne county 147
municipal courts and may appoint a chief deputy clerk for each 148
branch that is established pursuant to section 1901.311 of the 149
Revised Code and assistant clerks as the judges of the municipal 150
court determine are necessary, all of whom shall receive the 151
compensation that the legislative authority prescribes. The clerks 152
of courts of Portage county and Wayne county, acting as the clerks 153
of the Portage county and Wayne county municipal courts and 154
assuming the duties of these offices, shall receive compensation 155
payable from the county treasury in semimonthly installments at 156
one-fourth the rate that is prescribed for the clerks of courts of 157
common pleas as determined in accordance with the population of 158
the county and the rates set forth in sections 325.08 and 325.18 159
of the Revised Code. 160

(d) In the Montgomery county and Miami county municipal 161
courts, the clerks of courts of Montgomery county and Miami county 162
shall be the clerks, respectively, of the Montgomery county and 163
Miami county municipal courts. The clerks of courts of Montgomery 164
county and Miami county, acting as the clerks of the Montgomery 165
county and Miami county municipal courts and assuming the duties 166
of these offices, shall receive compensation at one-fourth the 167
rate that is prescribed for the clerks of courts of common pleas 168
as determined in accordance with the population of the county and 169
the rates set forth in sections 325.08 and 325.18 of the Revised 170
Code. This compensation shall be paid from the county treasury in 171
semimonthly installments and is in addition to the annual 172
compensation that is received for the performance of the duties of 173
the clerks of courts of Montgomery county and Miami county, as 174
provided in sections 325.08 and 325.18 of the Revised Code. 175

(e) Except as otherwise provided in division (A)(1)(e) of 176
this section, in the Akron municipal court, candidates for 177
election to the office of clerk of the court shall be nominated by 178

primary election. The primary election shall be held on the day 179
specified in the charter of the city of Akron for the nomination 180
of municipal officers. Notwithstanding any contrary provision of 181
section 3513.05 or 3513.257 of the Revised Code, the declarations 182
of candidacy and petitions of partisan candidates and the 183
nominating petitions of independent candidates for the office of 184
clerk of the Akron municipal court shall be signed by at least 185
fifty qualified electors of the territory of the court. 186

The candidates shall file a declaration of candidacy and 187
petition, or a nominating petition, whichever is applicable, not 188
later than four p.m. of the ninetieth day before the day of the 189
primary election, in the form prescribed by section 3513.07 or 190
3513.261 of the Revised Code. The declaration of candidacy and 191
petition, or the nominating petition, shall conform to the 192
applicable requirements of section 3513.05 or 3513.257 of the 193
Revised Code. 194

If no valid declaration of candidacy and petition is filed by 195
any person for nomination as a candidate of a particular political 196
party for election to the office of clerk of the Akron municipal 197
court, a primary election shall not be held for the purpose of 198
nominating a candidate of that party for election to that office. 199
If only one person files a valid declaration of candidacy and 200
petition for nomination as a candidate of a particular political 201
party for election to that office, a primary election shall not be 202
held for the purpose of nominating a candidate of that party for 203
election to that office, and the candidate shall be issued a 204
certificate of nomination in the manner set forth in section 205
3513.02 of the Revised Code. 206

Declarations of candidacy and petitions, nominating 207
petitions, and certificates of nomination for the office of clerk 208
of the Akron municipal court shall contain a designation of the 209
term for which the candidate seeks election. At the following 210

regular municipal election, all candidates for the office shall be 211
submitted to the qualified electors of the territory of the court 212
in the manner that is provided in section 1901.07 of the Revised 213
Code for the election of the judges of the court. The clerk so 214
elected shall hold office for a term of six years, which term 215
shall commence on the first day of January following the clerk's 216
election and continue until the clerk's successor is elected and 217
qualified. 218

(f) Except as otherwise provided in division (A)(1)(f) of 219
this section, in the Barberton municipal court, candidates for 220
election to the office of clerk of the court shall be nominated by 221
primary election. The primary election shall be held on the day 222
specified in the charter of the city of Barberton for the 223
nomination of municipal officers. Notwithstanding any contrary 224
provision of section 3513.05 or 3513.257 of the Revised Code, the 225
declarations of candidacy and petitions of partisan candidates and 226
the nominating petitions of independent candidates for the office 227
of clerk of the Barberton municipal court shall be signed by at 228
least fifty qualified electors of the territory of the court. 229

The candidates shall file a declaration of candidacy and 230
petition, or a nominating petition, whichever is applicable, not 231
later than four p.m. of the ninetieth day before the day of the 232
primary election, in the form prescribed by section 3513.07 or 233
3513.261 of the Revised Code. The declaration of candidacy and 234
petition, or the nominating petition, shall conform to the 235
applicable requirements of section 3513.05 or 3513.257 of the 236
Revised Code. 237

If no valid declaration of candidacy and petition is filed by 238
any person for nomination as a candidate of a particular political 239
party for election to the office of clerk of the Barberton 240
municipal court, a primary election shall not be held for the 241
purpose of nominating a candidate of that party for election to 242

that office. If only one person files a valid declaration of 243
candidacy and petition for nomination as a candidate of a 244
particular political party for election to that office, a primary 245
election shall not be held for the purpose of nominating a 246
candidate of that party for election to that office, and the 247
candidate shall be issued a certificate of nomination in the 248
manner set forth in section 3513.02 of the Revised Code. 249

Declarations of candidacy and petitions, nominating 250
petitions, and certificates of nomination for the office of clerk 251
of the Barberton municipal court shall contain a designation of 252
the term for which the candidate seeks election. At the following 253
regular municipal election, all candidates for the office shall be 254
submitted to the qualified electors of the territory of the court 255
in the manner that is provided in section 1901.07 of the Revised 256
Code for the election of the judges of the court. The clerk so 257
elected shall hold office for a term of six years, which term 258
shall commence on the first day of January following the clerk's 259
election and continue until the clerk's successor is elected and 260
qualified. 261

(g)(i) Through December 31, 2008, except as otherwise 262
provided in division (A)(1)(g)(i) of this section, in the Cuyahoga 263
Falls municipal court, candidates for election to the office of 264
clerk of the court shall be nominated by primary election. The 265
primary election shall be held on the day specified in the charter 266
of the city of Cuyahoga Falls for the nomination of municipal 267
officers. Notwithstanding any contrary provision of section 268
3513.05 or 3513.257 of the Revised Code, the declarations of 269
candidacy and petitions of partisan candidates and the nominating 270
petitions of independent candidates for the office of clerk of the 271
Cuyahoga Falls municipal court shall be signed by at least fifty 272
qualified electors of the territory of the court. 273

The candidates shall file a declaration of candidacy and 274

petition, or a nominating petition, whichever is applicable, not 275
later than four p.m. of the ninetieth day before the day of the 276
primary election, in the form prescribed by section 3513.07 or 277
3513.261 of the Revised Code. The declaration of candidacy and 278
petition, or the nominating petition, shall conform to the 279
applicable requirements of section 3513.05 or 3513.257 of the 280
Revised Code. 281

If no valid declaration of candidacy and petition is filed by 282
any person for nomination as a candidate of a particular political 283
party for election to the office of clerk of the Cuyahoga Falls 284
municipal court, a primary election shall not be held for the 285
purpose of nominating a candidate of that party for election to 286
that office. If only one person files a valid declaration of 287
candidacy and petition for nomination as a candidate of a 288
particular political party for election to that office, a primary 289
election shall not be held for the purpose of nominating a 290
candidate of that party for election to that office, and the 291
candidate shall be issued a certificate of nomination in the 292
manner set forth in section 3513.02 of the Revised Code. 293

Declarations of candidacy and petitions, nominating 294
petitions, and certificates of nomination for the office of clerk 295
of the Cuyahoga Falls municipal court shall contain a designation 296
of the term for which the candidate seeks election. At the 297
following regular municipal election, all candidates for the 298
office shall be submitted to the qualified electors of the 299
territory of the court in the manner that is provided in section 300
1901.07 of the Revised Code for the election of the judges of the 301
court. The clerk so elected shall hold office for a term of six 302
years, which term shall commence on the first day of January 303
following the clerk's election and continue until the clerk's 304
successor is elected and qualified. 305

(ii) Division (A)(1)(g)(i) of this section shall have no 306

effect after December 31, 2008. 307

(h) Except as otherwise provided in division (A)(1)(h) of 308
this section, in the Toledo municipal court, candidates for 309
election to the office of clerk of the court shall be nominated by 310
primary election. The primary election shall be held on the day 311
specified in the charter of the city of Toledo for the nomination 312
of municipal officers. Notwithstanding any contrary provision of 313
section 3513.05 or 3513.257 of the Revised Code, the declarations 314
of candidacy and petitions of partisan candidates and the 315
nominating petitions of independent candidates for the office of 316
clerk of the Toledo municipal court shall be signed by at least 317
fifty qualified electors of the territory of the court. 318

The candidates shall file a declaration of candidacy and 319
petition, or a nominating petition, whichever is applicable, not 320
later than four p.m. of the ninetieth day before the day of the 321
primary election, in the form prescribed by section 3513.07 or 322
3513.261 of the Revised Code. The declaration of candidacy and 323
petition, or the nominating petition, shall conform to the 324
applicable requirements of section 3513.05 or 3513.257 of the 325
Revised Code. 326

If no valid declaration of candidacy and petition is filed by 327
any person for nomination as a candidate of a particular political 328
party for election to the office of clerk of the Toledo municipal 329
court, a primary election shall not be held for the purpose of 330
nominating a candidate of that party for election to that office. 331
If only one person files a valid declaration of candidacy and 332
petition for nomination as a candidate of a particular political 333
party for election to that office, a primary election shall not be 334
held for the purpose of nominating a candidate of that party for 335
election to that office, and the candidate shall be issued a 336
certificate of nomination in the manner set forth in section 337
3513.02 of the Revised Code. 338

Declarations of candidacy and petitions, nominating 339
petitions, and certificates of nomination for the office of clerk 340
of the Toledo municipal court shall contain a designation of the 341
term for which the candidate seeks election. At the following 342
regular municipal election, all candidates for the office shall be 343
submitted to the qualified electors of the territory of the court 344
in the manner that is provided in section 1901.07 of the Revised 345
Code for the election of the judges of the court. The clerk so 346
elected shall hold office for a term of six years, which term 347
shall commence on the first day of January following the clerk's 348
election and continue until the clerk's successor is elected and 349
qualified. 350

(2)(a) Except for the Alliance, Auglaize county, Brown 351
county, Columbiana county, Holmes county, Putnam county, Lorain, 352
Massillon, and Youngstown municipal courts, in a municipal court 353
for which the population of the territory is less than one hundred 354
thousand, the clerk shall be appointed by the court, and the clerk 355
shall hold office until the clerk's successor is appointed and 356
qualified. 357

(b) In the Alliance, Lorain, Massillon, and Youngstown 358
municipal courts, the clerk shall be elected for a term of office 359
as described in division (A)(1)(a) of this section. 360

(c) In the Auglaize county, Brown county, Holmes county, and 361
Putnam county municipal courts, the clerks of courts of Auglaize 362
county, Brown county, Holmes county, and Putnam county shall be 363
the clerks, respectively, of the Auglaize county, Brown county, 364
Holmes county, and Putnam county municipal courts and may appoint 365
a chief deputy clerk for each branch office that is established 366
pursuant to section 1901.311 of the Revised Code, and assistant 367
clerks as the judge of the court determines are necessary, all of 368
whom shall receive the compensation that the legislative authority 369
prescribes. The clerks of courts of Auglaize county, Brown county, 370

Holmes county, and Putnam county, acting as the clerks of the 371
Auglaize county, Brown county, Holmes county, and Putnam county 372
municipal courts and assuming the duties of these offices, shall 373
receive compensation payable from the county treasury in 374
semimonthly installments at one-fourth the rate that is prescribed 375
for the clerks of courts of common pleas as determined in 376
accordance with the population of the county and the rates set 377
forth in sections 325.08 and 325.18 of the Revised Code. 378

(d) In the Columbiana county municipal court, the clerk of 379
courts of Columbiana county shall be the clerk of the municipal 380
court, may appoint a chief deputy clerk for each branch office 381
that is established pursuant to section 1901.311 of the Revised 382
Code, and may appoint any assistant clerks that the judges of the 383
court determine are necessary. All of the chief deputy clerks and 384
assistant clerks shall receive the compensation that the 385
legislative authority prescribes. The clerk of courts of 386
Columbiana county, acting as the clerk of the Columbiana county 387
municipal court and assuming the duties of that office, shall 388
receive in either biweekly installments or semimonthly 389
installments, as determined by the payroll administrator, 390
compensation payable from the county treasury at one-fourth the 391
rate that is prescribed for the clerks of courts of common pleas 392
as determined in accordance with the population of the county and 393
the rates set forth in sections 325.08 and 325.18 of the Revised 394
Code. 395

(3) During the temporary absence of the clerk due to illness, 396
vacation, or other proper cause, the court may appoint a temporary 397
clerk, who shall be paid the same compensation, have the same 398
authority, and perform the same duties as the clerk. 399

(B) Except in the Hamilton county, Montgomery county, Miami 400
county, Portage county, and Wayne county municipal courts, if a 401
vacancy occurs in the office of the clerk of the Alliance, Lorain, 402

Massillon, or Youngstown municipal court or occurs in the office 403
of the clerk of a municipal court for which the population of the 404
territory equals or exceeds one hundred thousand because the clerk 405
ceases to hold the office before the end of the clerk's term or 406
because a clerk-elect fails to take office, the vacancy shall be 407
filled, until a successor is elected and qualified, by a person 408
chosen by the residents of the territory of the court who are 409
members of the county central committee of the political party by 410
which the last occupant of that office or the clerk-elect was 411
nominated. Not less than five nor more than fifteen days after a 412
vacancy occurs, those members of that county central committee 413
shall meet to make an appointment to fill the vacancy. At least 414
four days before the date of the meeting, the chairperson or a 415
secretary of the county central committee shall notify each such 416
member of that county central committee by first class mail of the 417
date, time, and place of the meeting and its purpose. A majority 418
of all such members of that county central committee constitutes a 419
quorum, and a majority of the quorum is required to make the 420
appointment. If the office so vacated was occupied or was to be 421
occupied by a person not nominated at a primary election, or if 422
the appointment was not made by the committee members in 423
accordance with this division, the court shall make an appointment 424
to fill the vacancy. A successor shall be elected to fill the 425
office for the unexpired term at the first municipal election that 426
is held more than one hundred thirty-five days after the vacancy 427
occurred. 428

(C)(1) In a municipal court, other than the Auglaize county, 429
the Brown county, the Columbiana county, the Holmes county, the 430
Putnam county, and the Lorain municipal courts, for which the 431
population of the territory is less than one hundred thousand, the 432
clerk of the municipal court shall receive the annual compensation 433
that the presiding judge of the court prescribes, if the revenue 434
of the court for the preceding calendar year, as certified by the 435

auditor or chief fiscal officer of the municipal corporation in 436
which the court is located or, in the case of a county-operated 437
municipal court, the county auditor, is equal to or greater than 438
the expenditures, including any debt charges, for the operation of 439
the court payable under this chapter from the city treasury or, in 440
the case of a county-operated municipal court, the county treasury 441
for that calendar year, as also certified by the auditor or chief 442
fiscal officer. If the revenue of a municipal court, other than 443
the Auglaize county, the Brown county, the Columbiana county, the 444
Putnam county, and the Lorain municipal courts, for which the 445
population of the territory is less than one hundred thousand for 446
the preceding calendar year as so certified is not equal to or 447
greater than those expenditures for the operation of the court for 448
that calendar year as so certified, the clerk of a municipal court 449
shall receive the annual compensation that the legislative 450
authority prescribes. As used in this division, "revenue" means 451
the total of all costs and fees that are collected and paid to the 452
city treasury or, in a county-operated municipal court, the county 453
treasury by the clerk of the municipal court under division (F) of 454
this section and all interest received and paid to the city 455
treasury or, in a county-operated municipal court, the county 456
treasury in relation to the costs and fees under division (G) of 457
this section. 458

(2) In a municipal court, other than the Hamilton county, 459
Montgomery county, Miami county, Portage county, and Wayne county 460
municipal courts, for which the population of the territory is one 461
hundred thousand or more, and in the Lorain municipal court, the 462
clerk of the municipal court shall receive annual compensation in 463
a sum equal to eighty-five per cent of the salary of a judge of 464
the court. 465

(3) The compensation of a clerk described in division (C)(1) 466
or (2) of this section and of the clerk of the Columbiana county 467

municipal court is payable in either semimonthly installments or 468
biweekly installments, as determined by the payroll administrator, 469
from the same sources and in the same manner as provided in 470
section 1901.11 of the Revised Code, except that the compensation 471
of the clerk of the Carroll county municipal court is payable in 472
biweekly installments. 473

(D) Before entering upon the duties of the clerk's office, 474
the clerk of a municipal court shall give bond of not less than 475
six thousand dollars to be determined by the judges of the court, 476
conditioned upon the faithful performance of the clerk's duties. 477

(E) The clerk of a municipal court may do all of the 478
following: administer oaths, take affidavits, and issue executions 479
upon any judgment rendered in the court, including a judgment for 480
unpaid costs; issue, sign, and attach the seal of the court to all 481
writs, process, subpoenas, and papers issuing out of the court; 482
and approve all bonds, sureties, recognizances, and undertakings 483
fixed by any judge of the court or by law. The clerk may refuse to 484
accept for filing any pleading or paper submitted for filing by a 485
person who has been found to be a vexatious litigator under 486
section 2323.52 of the Revised Code and who has failed to obtain 487
leave to proceed under that section. The clerk shall do all of the 488
following: file and safely keep all journals, records, books, and 489
papers belonging or appertaining to the court; record the 490
proceedings of the court; perform all other duties that the judges 491
of the court may prescribe; and keep a book showing all receipts 492
and disbursements, which book shall be open for public inspection 493
at all times. 494

The clerk shall prepare and maintain a general index, a 495
docket, and other records that the court, by rule, requires, all 496
of which shall be the public records of the court. In the docket, 497
the clerk shall enter, at the time of the commencement of an 498
action, the names of the parties in full, the names of the 499

counsel, and the nature of the proceedings. Under proper dates, 500
the clerk shall note the filing of the complaint, issuing of 501
summons or other process, returns, and any subsequent pleadings. 502
The clerk also shall enter all reports, verdicts, orders, 503
judgments, and proceedings of the court, clearly specifying the 504
relief granted or orders made in each action. The court may order 505
an extended record of any of the above to be made and entered, 506
under the proper action heading, upon the docket at the request of 507
any party to the case, the expense of which record may be taxed as 508
costs in the case or may be required to be prepaid by the party 509
demanding the record, upon order of the court. 510

(F) The clerk of a municipal court shall receive, collect, 511
and issue receipts for all costs, fees, fines, bail, and other 512
moneys payable to the office or to any officer of the court. The 513
clerk shall each on or before the twentieth day of the month 514
following the month in which they are collected disburse to the 515
proper persons or officers, and take receipts for, all costs, 516
fees, fines, bail, and other moneys that the clerk collects. 517
Subject to sections 307.515 and 4511.193 of the Revised Code and 518
to any other section of the Revised Code that requires a specific 519
manner of disbursement of any moneys received by a municipal court 520
and except for the Hamilton county, Lawrence county, and Ottawa 521
county municipal courts, the clerk shall pay all fines received 522
for violation of municipal ordinances into the treasury of the 523
municipal corporation the ordinance of which was violated and 524
shall pay all fines received for violation of township resolutions 525
adopted pursuant to section 503.52 or 503.53 or Chapter 504. of 526
the Revised Code into the treasury of the township the resolution 527
of which was violated. Subject to sections 1901.024 and 4511.193 528
of the Revised Code, in the Hamilton county, Lawrence county, and 529
Ottawa county municipal courts, the clerk shall pay fifty per cent 530
of the fines received for violation of municipal ordinances and 531
fifty per cent of the fines received for violation of township 532

resolutions adopted pursuant to section 503.52 or 503.53 or 533
Chapter 504. of the Revised Code into the treasury of the county. 534
Subject to sections 307.515, 4511.19, and 5503.04 of the Revised 535
Code and to any other section of the Revised Code that requires a 536
specific manner of disbursement of any moneys received by a 537
municipal court, the clerk shall pay all fines collected for the 538
violation of state laws into the county treasury. Except in a 539
county-operated municipal court, the clerk shall pay all costs and 540
fees the disbursement of which is not otherwise provided for in 541
the Revised Code into the city treasury. The clerk of a 542
county-operated municipal court shall pay the costs and fees the 543
disbursement of which is not otherwise provided for in the Revised 544
Code into the county treasury. Moneys deposited as security for 545
costs shall be retained pending the litigation. The clerk shall 546
keep a separate account of all receipts and disbursements in civil 547
and criminal cases, which shall be a permanent public record of 548
the office. On the expiration of the term of the clerk, the clerk 549
shall deliver the records to the clerk's successor. The clerk 550
shall have other powers and duties as are prescribed by rule or 551
order of the court. 552

(G) All moneys paid into a municipal court shall be noted on 553
the record of the case in which they are paid and shall be 554
deposited in a state or national bank, or a domestic savings and 555
loan association, as defined in section 1151.01 of the Revised 556
Code, that is selected by the clerk. Any interest received upon 557
the deposits shall be paid into the city treasury, except that, in 558
a county-operated municipal court, the interest shall be paid into 559
the treasury of the county in which the court is located. 560

On the first Monday in January of each year, the clerk shall 561
make a list of the titles of all cases in the court that were 562
finally determined more than one year past in which there remains 563
unclaimed in the possession of the clerk any funds, or any part of 564

a deposit for security of costs not consumed by the costs in the 565
case. The clerk shall give notice of the moneys to the parties who 566
are entitled to the moneys or to their attorneys of record. All 567
the moneys remaining unclaimed on the first day of April of each 568
year shall be paid by the clerk to the city treasurer, except 569
that, in a county-operated municipal court, the moneys shall be 570
paid to the treasurer of the county in which the court is located. 571
The treasurer shall pay any part of the moneys at any time to the 572
person who has the right to the moneys upon proper certification 573
of the clerk. 574

(H) Deputy clerks of a municipal court other than the Carroll 575
county municipal court may be appointed by the clerk and shall 576
receive the compensation, payable in either biweekly installments 577
or semimonthly installments, as determined by the payroll 578
administrator, out of the city treasury, that the clerk may 579
prescribe, except that the compensation of any deputy clerk of a 580
county-operated municipal court shall be paid out of the treasury 581
of the county in which the court is located. The judge of the 582
Carroll county municipal court may appoint deputy clerks for the 583
court, and the deputy clerks shall receive the compensation, 584
payable in biweekly installments out of the county treasury, that 585
the judge may prescribe. Each deputy clerk shall take an oath of 586
office before entering upon the duties of the deputy clerk's 587
office and, when so qualified, may perform the duties appertaining 588
to the office of the clerk. The clerk may require any of the 589
deputy clerks to give bond of not less than three thousand 590
dollars, conditioned for the faithful performance of the deputy 591
clerk's duties. 592

(I) For the purposes of this section, whenever the population 593
of the territory of a municipal court falls below one hundred 594
thousand but not below ninety thousand, and the population of the 595
territory prior to the most recent regular federal census exceeded 596

one hundred thousand, the legislative authority of the municipal corporation may declare, by resolution, that the territory shall be considered to have a population of at least one hundred thousand.

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

Sec. 1901.44. (A)(1) Notwithstanding any other provision of the Revised Code, if at the time of sentencing or at any time after sentencing a municipal court finds that a person who is found guilty of an offense is unable to pay costs, the court may order the offender to perform community service in lieu of costs.

(2) Notwithstanding any other provision of the Revised Code, if at the time of sentencing or at any time after sentencing a municipal court finds that a person who is found guilty of an offense will not be able to pay costs in full when they are due, the court may order the offender to pay the costs in installments according to a schedule set by the court.

(B) If a person is charged with an offense in municipal 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 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 (C) 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 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. 628
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The period of denial relating to the issuance or transfer of a certificate of registration for a motor vehicle imposed under 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 (C) of this section and sending the form to the registrar. 632
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(C) The registrar shall prescribe and make available to municipal courts forms to be used for a notice of failure to pay fines or costs and a notice of payment of fines or costs under division (B) of this section. The registrar may approve the use of other forms for these purposes. 641
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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 that is not transmitted electronically. 646
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Sec. 1905.202. (A)(1) Notwithstanding any other provision of the Revised Code, if at the time of sentencing or at any time after sentencing a mayor's court finds that a person who is found guilty of an offense is unable to pay costs, the court may order the offender to perform community service in lieu of costs. 651
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(2) Notwithstanding any other provision of the Revised Code, if at the time of sentencing or at any time after sentencing a mayor's court finds that a person who is found guilty of an 656
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offense will not be able to pay costs in full when they are due, 659
the court may order the offender to pay the costs in installments 660
according to a schedule set by the court. 661

(B) If a person is charged with an offense in mayor's court 662
and either fails to appear in court at the required time and place 663
to answer the charge or pleads guilty to or is found guilty of the 664
offense and fails within the time allowed by the court to pay any 665
fine or costs imposed by the court, the court may enter 666
information relative to the person's failure to pay the fine or 667
costs on a form prescribed or approved by the registrar pursuant 668
to division (C) of this section and send the form to the 669
registrar. Upon receipt of the form, the registrar shall take any 670
measures necessary to ensure that neither the registrar nor any 671
deputy registrar accepts any application for the registration or 672
transfer of registration of any motor vehicle owned or leased by 673
the person. However, for a motor vehicle leased by the person, the 674
registrar shall not implement this requirement until the registrar 675
adopts procedures for that implementation under section 4503.39 of 676
the Revised Code. 677

The period of denial relating to the issuance or transfer of 678
a certificate of registration for a motor vehicle imposed under 679
this section remains in effect until the person pays any fine or 680
costs imposed by the court relative to the offense. When the fine 681
or costs have been paid in full, the court shall inform the 682
registrar of the payment by entering information relative to the 683
payment on a notice of payment form prescribed or approved by the 684
registrar pursuant to division (C) of this section and sending the 685
form to the registrar. 686

(C) The registrar shall prescribe and make available to 687
mayor's courts forms to be used for a notice of failure to pay 688
finer or costs and a notice of payment of fines or costs under 689
division (B) of this section. The registrar may approve the use of 690

other forms for these purposes. 691

The registrar may require that any of the forms prescribed or 692
approved pursuant to this section be transmitted to the registrar 693
electronically. If the registrar requires electronic transmission, 694
the registrar shall not be required to give effect to any form 695
that is not transmitted electronically. 696

Sec. 1907.20. (A) The clerk of courts shall be the clerk of 697
the county court, except that the board of county commissioners, 698
with the concurrence of the county court judges, may appoint a 699
clerk for each county court judge, who shall serve at the pleasure 700
of the board and shall receive compensation as set by the board, 701
payable in semimonthly installments from the treasury of the 702
county. An appointed clerk, before entering upon the duties of the 703
office, shall give bond of not less than five thousand dollars, as 704
determined by the board of county commissioners, conditioned upon 705
the faithful performance of the clerk's duties. 706

The clerks of courts of common pleas, when acting as the 707
clerks of county courts, and upon assuming their county court 708
duties, shall receive compensation at one-fourth the rate 709
prescribed for the clerks of courts of common pleas as determined 710
in accordance with the population of the county and the rates set 711
forth in sections 325.08 and 325.18 of the Revised Code. This 712
compensation shall be paid from the county treasury in semimonthly 713
installments and is in addition to the annual compensation 714
received for the performance of the duties of the clerk of a court 715
of common pleas as provided in sections 325.08 and 325.18 of the 716
Revised Code. 717

(B) The clerk of a county court shall have general powers to 718
administer oaths, take affidavits, and issue executions upon any 719
judgment rendered in the county court, including a judgment for 720
unpaid costs, power to issue and sign all writs, process, 721

subpoenas, and papers issuing out of the court, and to attach the seal of the court to them, and power to approve all bonds, sureties, recognizances, and undertakings fixed by any judge of the court or by law. The clerk shall file and safely keep all journals, records, books, and papers belonging or appertaining to the court, record its proceedings, perform all other duties that the judges of the court may prescribe, and keep a book showing all receipts and disbursements, which shall be open for public inspection at all times. The clerk may refuse to accept for filing any pleading or paper submitted for filing by a person who has been found to be a vexatious litigator under section 2323.52 of the Revised Code and who has failed to obtain leave to proceed under that section.

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

(C) The clerk of a county court shall receive and collect all costs, fees, fines, penalties, bail, and other moneys payable to

the office or to any officer of the court and issue receipts 754
therefor, and shall ~~each~~ on or before the twentieth day of the 755
month following the month in which they are collected disburse the 756
costs, fees, fines, penalties, bail, and other moneys to the 757
proper persons or officers and take receipts therefor. Subject to 758
sections 307.515, 4511.19, 4511.193, and 5503.04 of the Revised 759
Code and all other statutes that require a different distribution 760
of fines, fines received for violations of municipal ordinances 761
shall be paid into the treasury of the municipal corporation whose 762
ordinance was violated, fines received for violations of township 763
resolutions adopted pursuant to section 503.52 or 503.53 or 764
Chapter 504. of the Revised Code shall be paid into the treasury 765
of the township whose resolution was violated, and fines collected 766
for the violation of state laws shall be paid into the county 767
treasury. Moneys deposited as security for costs shall be retained 768
pending the litigation. 769

The clerk shall keep a separate account of all receipts and 770
disbursements in civil and criminal cases. The separate account 771
shall be a permanent public record of the office. On the 772
expiration of a clerk's term, those records shall be delivered to 773
the clerk's successor. 774

The clerk shall have such other powers and duties as are 775
prescribed by rule or order of the court. 776

(D) All moneys paid into a county court shall be noted on the 777
record of the case in which they are paid and shall be deposited 778
in a state or national bank selected by the clerk. On the first 779
Monday in January of each year, the clerk shall make a list of the 780
titles of all cases in the county court that were finally 781
determined more than one year past in which there remains 782
unclaimed in the possession of the clerk any funds, or any part of 783
a deposit for security of costs not consumed by the costs in the 784
case. The clerk shall give notice of the moneys to the parties 785

entitled to them or to their attorneys of record. All the moneys 786
remaining unclaimed on the first day of April of each year shall 787
be paid by the clerk to the county treasurer. Any part of the 788
moneys shall be paid by the county treasurer at any time to the 789
person having the right to them, upon proper certification of the 790
clerk. 791

(E)(1) In county court districts having appointed clerks, 792
deputy clerks may be appointed by the board of county 793
commissioners. Clerks and deputy clerks shall receive such 794
compensation payable in semimonthly installments out of the county 795
treasury as the board may prescribe. Each deputy clerk shall take 796
an oath of office before entering upon the duties of the deputy 797
clerk's office and, when so qualified, may perform the duties 798
appertaining to the office of the clerk. The clerk may require any 799
of the deputy clerks to give bond of not less than three thousand 800
dollars, conditioned for the faithful performance of the deputy 801
clerk's duties. 802

(2) A clerk of courts acting as clerk of the county court may 803
appoint deputy clerks to perform the duties pertaining to the 804
office of clerk of the county court. Each deputy clerk shall take 805
an oath of office before entering upon the deputy clerk's duties, 806
and the clerk of courts may require the deputy clerk to give bond 807
of not less than three thousand dollars, conditioned for the 808
faithful performance of the deputy clerk's duties. 809

(3) The clerk or a deputy clerk of a county court shall be in 810
attendance at all sessions of the court, although not necessarily 811
in the courtroom, and may administer oaths to witnesses and jurors 812
and receive verdicts. 813

(F)(1) In county court districts having appointed clerks, the 814
board of county commissioners may order the establishment of one 815
or more branch offices of the clerk and, with the concurrence of 816
the county judges, may appoint a special deputy clerk to 817

administer each branch office. Each special deputy clerk shall 818
take an oath of office before entering upon the duties of the 819
deputy clerk's office and, when so qualified, may perform any one 820
or more of the duties appertaining to the office of clerk, as the 821
board prescribes. Special deputy clerks shall receive such 822
compensation payable in semimonthly installments out of the county 823
treasury as the board may prescribe. The board may require any of 824
the special deputy clerks to give bond of not less than three 825
thousand dollars, conditioned for the faithful performance of the 826
deputy clerk's duties. 827

The board of county commissioners may authorize the clerk of 828
the county court to operate one or more branch offices, to divide 829
the clerk's time between the offices, and to perform duties 830
appertaining to the office of clerk in locations that the board 831
prescribes. 832

(2) A clerk of courts acting as clerk of the county court may 833
establish one or more branch offices for the clerk's duties as 834
clerk of the county court and, with the concurrence of the county 835
court judges, may appoint a special deputy clerk to administer 836
each branch office. Each special deputy clerk shall take an oath 837
of office before entering upon the deputy clerk's duties and, when 838
so qualified, may perform any of the duties pertaining to the 839
office of clerk, as the clerk of courts prescribes. The clerk of 840
courts may require any of the special deputy clerks to give bond 841
of not less than three thousand dollars, conditioned for the 842
faithful performance of the deputy clerk's duties. 843

(G) The clerk of courts of the county shall fix the 844
compensation of deputy clerks and special deputy clerks appointed 845
by the clerk pursuant to this section. Those personnel shall be 846
paid and be subject to the same requirements as other employees of 847
the clerk under the provisions of section 325.17 of the Revised 848
Code insofar as that section is applicable. 849

Sec. 1907.25. (A)(1) Notwithstanding any other provision of 850
the Revised Code, if at the time of sentencing or at any time 851
after sentencing a county court finds that a person who is found 852
guilty of an offense is unable to pay costs, the court may order 853
the offender to perform community service in lieu of costs. 854

(2) Notwithstanding any other provision of the Revised Code, 855
if at the time of sentencing or at any time after sentencing a 856
county court finds that a person who is found guilty of an offense 857
will not be able to pay costs in full when they are due, the court 858
may order the offender to pay the costs in installments according 859
to a schedule set by the court. 860

(B) If a person is charged with an offense in county court 861
and either fails to appear in court at the required time and place 862
to answer the charge or pleads guilty to or is found guilty of the 863
offense and fails within the time allowed by the court to pay any 864
fine or costs imposed by the court, the court may enter 865
information relative to the person's failure to pay the fine or 866
costs on a form prescribed or approved by the registrar pursuant 867
to division (C) of this section and send the form to the 868
registrar. Upon receipt of the form, the registrar shall take any 869
measures necessary to ensure that neither the registrar nor any 870
deputy registrar accepts any application for the registration or 871
transfer of registration of any motor vehicle owned or leased by 872
the person. However, for a motor vehicle leased by the person, the 873
registrar shall not implement this requirement until the registrar 874
adopts procedures for that implementation under section 4503.39 of 875
the Revised Code. 876

The period of denial relating to the issuance or transfer of 877
a certificate of registration for a motor vehicle imposed under 878
this section remains in effect until the person pays any fine or 879
costs imposed by the court relative to the offense. When the fine 880

or costs have been paid in full, the court shall inform the 881
registrar of the payment by entering information relative to the 882
payment on a notice of payment form prescribed or approved by the 883
registrar pursuant to division (C) of this section and sending the 884
form to the registrar. 885

(C) The registrar shall prescribe and make available to 886
county courts forms to be used for a notice of failure to pay 887
finances or costs and a notice of payment of fines or costs under 888
division (B) of this section. The registrar may approve the use of 889
other forms for these purposes. 890

The registrar may require that any of the forms prescribed or 891
approved pursuant to this section be transmitted to the registrar 892
electronically. If the registrar requires electronic transmission, 893
the registrar shall not be required to give effect to any form 894
that is not transmitted electronically. 895

Sec. 1907.26. Judges of a county court shall not retain any 896
of the costs or fees specified in the schedules adopted pursuant 897
to section 1907.24 of the Revised Code nor shall they retain a fee 898
for performing a marriage ceremony. Those costs and fees that 899
cannot be retained shall be transmitted to the general fund of the 900
county on or before the first business twentieth day of each the 901
month following the month in which they are collected. 902

Sec. 1907.261. (A)(1) A county court may determine that for 903
the efficient operation of the court additional funds are required 904
to computerize the court, to make available computerized legal 905
research services, or to do both. Upon making a determination that 906
additional funds are required for either or both of those 907
purposes, the court shall include in its schedule of fees and 908
costs under section 1907.24 of the Revised Code one additional fee 909
not to exceed three dollars on the filing of each cause of action 910

or appeal equivalent to one described in division (A), (Q), or (U) 911
of section 2303.20 of the Revised Code and shall direct the clerk 912
of the court to charge the fee. 913

(2) All fees collected under this section shall be paid on or 914
before the twentieth day of the month following the month in which 915
they are collected to the county treasurer. The treasurer shall 916
place the funds from the fees in a separate fund to be disbursed 917
either upon an order of the court, subject to an appropriation by 918
the board of county commissioners, or upon an order of the court, 919
subject to the court making an annual report available to the 920
public listing the use of all such funds, in an amount not greater 921
than the actual cost to the court of computerizing the court, 922
procuring and maintaining computerized legal research services, or 923
both. 924

(3) If the court determines that the funds in the fund 925
described in division (A)(2) of this section are more than 926
sufficient to satisfy the purpose for which the additional fee 927
described in division (A)(1) of this section was imposed, the 928
court may declare a surplus in the fund and, subject to an 929
appropriation by the board of county commissioners, expend those 930
surplus funds, or upon an order of the court, subject to the court 931
making an annual report available to the public listing the use of 932
all such funds, expend those surplus funds, for other appropriate 933
technological expenses of the court. 934

(B)(1) A county court may determine that, for the efficient 935
operation of the court, additional funds are required to 936
computerize the office of the clerk of the court and, upon that 937
determination, may include in its schedule of fees and costs under 938
section 1907.24 of the Revised Code an additional fee not to 939
exceed ten dollars on the filing of each cause of action or 940
appeal, on the filing, docketing, and endorsing of each 941
certificate of judgment, or on the docketing and indexing of each 942

aid in execution or petition to vacate, revive, or modify a 943
judgment that is equivalent to one described in division (A), (P), 944
(Q), (T), or (U) of section 2303.20 of the Revised Code. Subject 945
to division (B)(2) of this section, all moneys collected under 946
division (B)(1) of this section shall be paid on or before the 947
twentieth day of the month following the month in which they are 948
collected to the county treasurer. The treasurer shall place the 949
funds from the fees in a separate fund to be disbursed, upon an 950
order of the county court and subject to an appropriation by the 951
board of county commissioners, in an amount no greater than the 952
actual cost to the court of procuring and maintaining computer 953
systems for the office of the clerk of the county court. 954

(2) If a county court makes the determination described in 955
division (B)(1) of this section, the board of county commissioners 956
of that county may issue one or more general obligation bonds for 957
the purpose of procuring and maintaining the computer systems for 958
the office of the clerk of the county court. In addition to the 959
purposes stated in division (B)(1) of this section for which the 960
moneys collected under that division may be expended, the moneys 961
additionally may be expended to pay debt charges and financing 962
costs related to any general obligation bonds issued pursuant to 963
division (B)(2) of this section as they become due. General 964
obligation bonds issued pursuant to division (B)(2) of this 965
section are Chapter 133. securities. 966

Sec. 2947.09. (A) If a person is charged with an offense in a 967
court of common pleas and either fails to appear in court at the 968
required time and place to answer the charge or pleads guilty to 969
or is found guilty of the offense and fails within the time 970
allowed by the court to pay any fine or costs imposed by the 971
court, the court may enter information relative to the person's 972
failure to pay the fine or costs on a form prescribed or approved 973
by the registrar pursuant to division (B) of this section and send 974

the form to the registrar. Upon receipt of the form, the registrar 975
shall take any measures necessary to ensure that neither the 976
registrar nor any deputy registrar accepts any application for the 977
registration or transfer of registration of any motor vehicle 978
owned or leased by the person. However, for a motor vehicle leased 979
by the person, the registrar shall not implement this requirement 980
until the registrar adopts procedures for that implementation 981
under section 4503.39 of the Revised Code. 982

The period of denial relating to the issuance or transfer of 983
a certificate of registration for a motor vehicle imposed under 984
this section remains in effect until the person pays any fine or 985
costs imposed by the court relative to the offense. When the fine 986
or costs have been paid in full, the court shall inform the 987
registrar of the payment by entering information relative to the 988
payment on a notice of payment form prescribed or approved by the 989
registrar pursuant to division (B) of this section and sending the 990
form to the registrar. 991

(B) The registrar shall prescribe and make available to 992
courts of common pleas forms to be used for a notice of failure to 993
pay fines or costs and a notice of payment of fines or costs under 994
division (A) of this section. The registrar may approve the use of 995
other forms for these purposes. 996

The registrar may require that any of the forms prescribed or 997
approved pursuant to this section be transmitted to the registrar 998
electronically. If the registrar requires electronic transmission, 999
the registrar shall not be required to give effect to any form 1000
that is not transmitted electronically. 1001

Sec. 4503.39. With regard to a motor vehicle leased by or in 1002
the name of a person named in a suspension order or who is 1003
precluded from registering or transferring registration of a motor 1004

vehicle because of a failure to pay a fine or court costs, the 1005
registrar of motor vehicles shall adopt procedures as indicated in 1006
division (C)(2) of section 1901.44, division (A) of section 1007
1905.202, division (A) of section 1907.25, division (D) of section 1008
2935.27, division (A) of section 2937.221, and division (B) of 1009
section 4510.22 of the Revised Code. The procedures shall 1010
prescribe the information and methodology necessary to implement 1011
those divisions. 1012

Sec. 5503.02. (A) The state highway patrol shall enforce the 1013
laws of the state relating to the titling, registration, and 1014
licensing of motor vehicles; enforce on all roads and highways, 1015
notwithstanding section 4513.39 of the Revised Code, the laws 1016
relating to the operation and use of vehicles on the highways; 1017
enforce and prevent the violation of the laws relating to the 1018
size, weight, and speed of commercial motor vehicles and all laws 1019
designed for the protection of the highway pavements and 1020
structures on the highways; investigate and enforce rules and laws 1021
of the public utilities commission governing the transportation of 1022
persons and property by motor carriers and report violations of 1023
such rules and laws to the commission; enforce against any motor 1024
transportation company as defined in section 4921.02 of the 1025
Revised Code, any contract carrier by motor vehicle as defined in 1026
section 4923.02 of the Revised Code, any private motor carrier as 1027
defined in section 4923.20 of the Revised Code, and any motor 1028
carrier as defined in section 4919.75 of the Revised Code those 1029
rules and laws that, if violated, may result in a forfeiture as 1030
provided in section 4905.83, 4919.99, 4921.99, or 4923.99 of the 1031
Revised Code; investigate and report violations of all laws 1032
relating to the collection of excise taxes on motor vehicle fuels; 1033
and regulate the movement of traffic on the roads and highways of 1034
the state, notwithstanding section 4513.39 of the Revised Code. 1035

The patrol, whenever possible, shall determine the identity 1036
of the persons who are causing or who are responsible for the 1037
breaking, damaging, or destruction of any improved surfaced 1038
roadway, structure, sign, marker, guardrail, or other appurtenance 1039
constructed or maintained by the department of transportation and 1040
shall arrest the persons who are responsible for the breaking, 1041
damaging, or destruction and bring them before the proper 1042
officials for prosecution. 1043

State highway patrol troopers shall investigate and report 1044
all motor vehicle accidents on all roads and highways outside of 1045
municipal corporations. The superintendent of the patrol or any 1046
state highway patrol trooper may arrest, without a warrant, any 1047
person, who is the driver of or a passenger in any vehicle 1048
operated or standing on a state highway, whom the superintendent 1049
or trooper has reasonable cause to believe is guilty of a felony, 1050
under the same circumstances and with the same power that any 1051
peace officer may make such an arrest. 1052

The superintendent or any state highway patrol trooper may 1053
enforce the criminal laws on all state properties and state 1054
institutions, owned or leased by the state, and, when so ordered 1055
by the governor in the event of riot, civil disorder, or 1056
insurrection, may, pursuant to sections 2935.03 to 2935.05 of the 1057
Revised Code, arrest offenders against the criminal laws wherever 1058
they may be found within the state if the violations occurred 1059
upon, or resulted in injury to person or property on, state 1060
properties or state institutions, or under the conditions 1061
described in division (B) of this section. This authority of the 1062
superintendent and any state highway patrol trooper to enforce the 1063
criminal laws shall extend to any privately owned correctional 1064
facility housing Ohio inmates in this state, if the facility is 1065
being operated under an agreement with the department of 1066
rehabilitation and correction, to the same extent as if the 1067

facility were owned by this state. 1068

(B) In the event of riot, civil disorder, or insurrection, or 1069
the reasonable threat of riot, civil disorder, or insurrection, 1070
and upon request, as provided in this section, of the sheriff of a 1071
county or the mayor or other chief executive of a municipal 1072
corporation, the governor may order the state highway patrol to 1073
enforce the criminal laws within the area threatened by riot, 1074
civil disorder, or insurrection, as designated by the governor, 1075
upon finding that law enforcement agencies within the counties 1076
involved will not be reasonably capable of controlling the riot, 1077
civil disorder, or insurrection and that additional assistance is 1078
necessary. In cities in which the sheriff is under contract to 1079
provide exclusive police services pursuant to section 311.29 of 1080
the Revised Code, in villages, and in the unincorporated areas of 1081
the county, the sheriff has exclusive authority to request the use 1082
of the patrol. In cities in which the sheriff does not exclusively 1083
provide police services, the mayor, or other chief executive 1084
performing the duties of mayor, has exclusive authority to request 1085
the use of the patrol. 1086

The superintendent or any state highway patrol trooper may 1087
enforce the criminal laws within the area designated by the 1088
governor during the emergency arising out of the riot, civil 1089
disorder, or insurrection until released by the governor upon 1090
consultation with the requesting authority. State highway patrol 1091
troopers shall never be used as peace officers in connection with 1092
any strike or labor dispute. 1093

When a request for the use of the patrol is made pursuant to 1094
this division, the requesting authority shall notify the law 1095
enforcement authorities in contiguous communities and the sheriff 1096
of each county within which the threatened area, or any part of 1097
the threatened area, lies of the request, but the failure to 1098
notify the authorities or a sheriff shall not affect the validity 1099

of the request. 1100

(C) Any person who is arrested by the superintendent or a 1101
state highway patrol trooper shall be taken before any court or 1102
magistrate having jurisdiction of the offense with which the 1103
person is charged. Any person who is arrested or apprehended 1104
within the limits of a municipal corporation shall be brought 1105
before the municipal court or other tribunal of the municipal 1106
corporation. 1107

(D)(1) State highway patrol troopers have the same right and 1108
power of search and seizure as other peace officers. 1109

No state official shall command, order, or direct any state 1110
highway patrol trooper to perform any duty or service that is not 1111
authorized by law. The powers and duties conferred on the patrol 1112
are supplementary to, and in no way a limitation on, the powers 1113
and duties of sheriffs or other peace officers of the state. 1114

(2)(a) A state highway patrol trooper, pursuant to the policy 1115
established by the superintendent of the state highway patrol 1116
under division (D)(2)(b) of this section, may render emergency 1117
assistance to any other peace officer who has arrest authority 1118
under section 2935.03 of the Revised Code, if both of the 1119
following apply: 1120

(i) There is a threat of imminent physical danger to the 1121
peace officer, a threat of physical harm to another person, or any 1122
other serious emergency situation; 1123

(ii) Either the peace officer requests emergency assistance, 1124
or it appears that the peace officer is unable to request 1125
emergency assistance and the circumstances observed by the state 1126
highway patrol trooper reasonably indicate that emergency 1127
assistance is appropriate, or the peace officer requests emergency 1128
assistance and in the request the peace officer specifies a 1129
particular location and the state highway patrol trooper arrives 1130

at that location prior to the time that the peace officer arrives 1131
at that location and the circumstances observed by the state 1132
highway patrol trooper reasonably indicate that emergency 1133
assistance is appropriate. 1134

(b) The superintendent of the state highway patrol shall 1135
establish, within sixty days of August 8, 1991, a policy that sets 1136
forth the manner and procedures by which a state highway patrol 1137
trooper may render emergency assistance to any other peace officer 1138
under division (D)(2)(a) of this section. The policy shall include 1139
a provision that a state highway patrol trooper never be used as a 1140
peace officer in connection with any strike or labor dispute. 1141

(3)(a) A state highway patrol trooper who renders emergency 1142
assistance to any other peace officer under the policy established 1143
by the superintendent pursuant to division (D)(2)(b) of this 1144
section shall be considered to be performing regular employment 1145
for the purposes of compensation, pension, indemnity fund rights, 1146
workers' compensation, and other rights or benefits to which the 1147
trooper may be entitled as incident to regular employment. 1148

(b) A state highway patrol trooper who renders emergency 1149
assistance to any other peace officer under the policy established 1150
by the superintendent pursuant to division (D)(2)(b) of this 1151
section retains personal immunity from liability as specified in 1152
section 9.86 of the Revised Code. 1153

(c) A state highway patrol trooper who renders emergency 1154
assistance under the policy established by the superintendent 1155
pursuant to division (D)(2)(b) of this section has the same 1156
authority as the peace officer for or with whom the state highway 1157
patrol trooper is providing emergency assistance. 1158

(E)(1) Subject to the availability of funds specifically 1159
appropriated by the general assembly for security detail purposes, 1160
the state highway patrol shall provide security as follows: 1161

(a) For the governor;	1162
(b) At the direction of the governor, for other officials of the state government of this state; officials of the state governments of other states who are visiting this state; officials of the United States government who are visiting this state; officials of the governments of foreign countries or their political subdivisions who are visiting this state; or other officials or dignitaries who are visiting this state, including, but not limited to, members of trade missions;	1163 1164 1165 1166 1167 1168 1169 1170
(c) For the capitol square, as defined in section 105.41 of the Revised Code;	1171 1172
(d) For other state property.	1173
(2) To carry out the security responsibilities of the patrol listed in division (E)(1) of this section, the superintendent may assign state highway patrol troopers to a separate unit that is responsible for security details. The number of troopers assigned to particular security details shall be determined by the superintendent.	1174 1175 1176 1177 1178 1179
(3) The superintendent and any state highway patrol trooper, when providing security pursuant to division (E)(1)(a) or (b) of this section, have the same arrest powers as other peace officers to apprehend offenders against the criminal laws who endanger or threaten the security of any person being protected, no matter where the offense occurs.	1180 1181 1182 1183 1184 1185
The superintendent, any state highway patrol trooper, and any special police officer designated under section 5503.09 of the Revised Code, when providing security pursuant to division (E)(1)(c) of this section, shall enforce any rules governing capitol square adopted by the capitol square review and advisory board.	1186 1187 1188 1189 1190 1191
(F) The governor may order the state highway patrol to	1192

undertake major criminal investigations that involve state 1193
property interests. If an investigation undertaken pursuant to 1194
this division results in either the issuance of a no bill or the 1195
filing of an indictment, the superintendent shall file a complete 1196
and accurate report of the investigation with the president of the 1197
senate, the speaker of the house of representatives, the minority 1198
leader of the senate, and the minority leader of the house of 1199
representatives within fifteen days after the issuance of the no 1200
bill or the filing of an indictment. If the investigation does not 1201
have as its result any prosecutorial action, the superintendent 1202
shall, upon reporting this fact to the governor, file a complete 1203
and accurate report of the investigation with the president of the 1204
senate, the speaker of the house of representatives, the minority 1205
leader of the senate, and the minority leader of the house of 1206
representatives. 1207

(G) The superintendent may purchase or lease real property 1208
and buildings needed by the patrol, negotiate the sale of real 1209
property owned by the patrol, rent or lease real property owned or 1210
leased by the patrol, and make or cause to be made repairs to all 1211
property owned or under the control of the patrol. Any instrument 1212
by which real property is acquired pursuant to this division shall 1213
identify the agency of the state that has the use and benefit of 1214
the real property as specified in section 5301.012 of the Revised 1215
Code. 1216

Sections 123.01 and 125.02 of the Revised Code do not limit 1217
the powers granted to the superintendent by this division. 1218

Section 2. That existing sections 1901.261, 1901.31, 1907.20, 1219
1907.26, 1907.261, 4503.39, and 5503.02 of the Revised Code are 1220
hereby repealed. 1221