



# Ohio Legislative Service Commission

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## Fiscal Note & Local Impact Statement

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**Bill:** [H.B. 303 of the 128th G.A.](#)

**Date:** May 18, 2010

**Status:** As Introduced

**Sponsor:** Rep. Dyer

**Local Impact Statement Procedure Required:** No — Possible indirect local effects

**Contents:** Dissolution of a mayor's court

### State Fiscal Highlights

- The Attorney General may incur minimal annual legal expenses to take the actions necessary to dissolve a mayor's court.

### Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.

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## Detailed Fiscal Analysis

The Attorney General does not anticipate that the cost of the legal actions that might need to be taken to dissolve a mayor's court will exceed minimal. Current law, unchanged by the bill, requires a municipal corporation operating a mayor's court to have a population of more than 100 and requires the mayor to fulfill certain educational and registration requirements prescribed by the Ohio Supreme Court. However, current law is silent with regard to who is responsible for ensuring compliance with these requirements and the penalties for noncompliance. The bill addresses this silence by specifying that the Attorney General may serve a notice of noncompliance and specifies the procedure to be followed should dissolving the operation of a mayor's court be necessary. At this time, the number of mayor's courts that may be in violation of one or more of these requirements is uncertain.

This bill has no direct fiscal effect on political subdivisions. The bill does not create any additional requirements for mayor's courts, it simply specifies the manner in which the Attorney General may sanction jurisdictions in violation. Because current law is silent with regard to enforcement of the requirements pertaining to mayor's courts, no entity has been routinely ensuring the requirements are met and some mayor's courts appear at times to have been operating in violation of these requirements.

If a mayor's court is dissolved as a result of action by the Attorney General, the fiscal effects would be felt by the municipality where the mayor's court was located and the municipal court or county court having territorial jurisdiction over the municipality. Arguably, this fiscal impact is best viewed as an indirect consequence of the bill as the requirements being violated are already part of Ohio law. The magnitude and net fiscal change would vary as the fiscal conditions facing each mayor's court are somewhat unique, but in general the municipal corporation where the mayor's court is dissolved would lose fine and court cost revenue collected by the court and eliminate any operating expenses associated with the court. Conversely, the municipal court or county court having territorial jurisdiction over the municipality would handle all of the cases that would otherwise have been adjudicated by the mayor's court, incur the related operating expenses, and collect any related court cost and fine revenues.