



# Ohio Legislative Service Commission

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## Synopsis of Senate Committee Amendments\*

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### **Sub. H.B. 238**

128th General Assembly  
(Senate Judiciary Civil Justice)

The Senate Judiciary Committee on Civil Justice amended the bill to do all of the following:

1. Authorize the court in a divorce or legal separation proceeding to modify a division or disbursement of property or a distributive award upon the express written consent or agreement of both spouses.

2. Permit the spouses in a dissolution of marriage proceeding to include in the separation agreement authorization for the court to modify the division of property and require that any modification be made only with the express written consent or agreement of both spouses.

3. Permit the court to award the offended spouse a distributive award or a greater award of marital property if the other spouse has substantially and willfully failed to disclose assets and specifically require each spouse to fully and completely disclose all debts, income, and expenses in addition to disclosing all marital property, separate property, and other assets.

4. Eliminate the prohibition against a municipal or county court judge being eligible for life insurance coverage from a county or other political subdivision after the issuance of a group policy covering all municipal and county court judges.

5. Change the statutory designation of the judges of the Chardon, Lyndhurst, and Miamisburg municipal courts from part-time to full-time.

6. Prohibit a county court judge from retaining a fee for performing a marriage ceremony and require a county court judge to pay all marriage fees collected by the judge when not connected with any cause or proceeding pending in the county court to the treasurer of the county in which the court is located.

\* This synopsis does not address amendments that may have been adopted on the Senate Floor.

7. Remove the statutorily required notice regarding possessing or purchasing a firearm when subject to certain nondomestic violence protection orders issued as a pretrial condition of release.

8. Modify the notice requirements regarding possessing or purchasing a firearm when subject to a domestic violence-related temporary protection order.

9. Effective January 1, 2011, abolish the Putnam County County Court and its two part-time judgeships and create in Ottawa the Putnam County Municipal Court with one full-time judge and with jurisdiction within Putnam County.

10. Specify that the judge of the Putnam County Municipal Court will be elected in 2011 and nominated only by petition and provide that the part-time judge of the Putnam County County Court, whose term commenced on January 1, 2007, serves as the full-time judge of the Putnam County Municipal Court until December 31, 2011.

11. Provide that the Clerk of the Courts of Putnam County will be the Clerk of the Putnam County Municipal Court.

12. Provide that in addition to the police officers of municipal corporations and police constables of townships within the territory of the Putnam County Municipal Court who serve as ex officio deputy bailiffs, deputy sheriffs of Putnam County also will serve as deputy bailiffs of the Putnam County Municipal Court.

13. Require the Putnam County Prosecuting Attorney to prosecute in the Putnam County Municipal Court all violations of state law arising in Putnam County and authorize the Putnam County Prosecuting Attorney to enter into an agreement with any municipal corporation in Putnam County pursuant to which the Putnam County Prosecuting Attorney prosecutes all cases brought before the Putnam County Municipal Court for violations of the ordinances of the municipal corporation or for criminal offenses other than violations of state law occurring within the municipal corporation.

14. Include transition provisions upon the abolition of the Putnam County County Court and the establishment of the Putnam County Municipal Court.