Ohio Legislative Service Commission

Bill Analysis

Lynda J. Jacobsen

H.B. 29

129th General Assembly
(As Reported by H. State Government and Elections)

Reps. Mecklenborg, Combs, Blessing, Gardner, Huffman, Dovilla, Grossman, Young, Buchy, Hite, J. Adams, Stinziano, Gerberry, Patmon

BILL SUMMARY

- Increases from 50 to 100 the number of signatures required on a nominating petition for a judge for the Hamilton County Municipal Court to codify an existing court order.
- Requires nominating petitions for the Hamilton County Municipal Court to be signed and filed in accordance with state law, instead of requiring those petitions to be signed and filed in the same manner as petitions nominating members of the Cincinnati City Council.
- Codifies a remedial order already in effect by specifying that the judges of the Hamilton County Municipal Court must be elected by the electors of the relative judicial district of the county, instead of the territory of the court.
- Declares an emergency, so that these changes can be implemented prior to the May 3, 2011, filing deadline for nominating petitions.

CONTENT AND OPERATION

Nominating process for Hamilton County Municipal Court judges

The bill increases, from 50 to 100, the number of signatures statutorily required to be obtained on a nominating petition of a candidate for the office of judge of the Hamilton County Municipal Court. Currently, state law requires candidates for that office to have at least 50 valid signatures on their nominating petitions. A judicial remedial order, however, already requires 100 signatures for candidates for that court.

The bill also changes the process for filing nominating petitions by requiring candidates for the office of judge of the Hamilton County Municipal Court to file those petitions in the same manner as other candidates file nominating petitions under Ohio Election Law. Currently, petitions filed by those candidates must be signed, verified, and filed in the same manner and within the time required for nominating petitions for members of Cincinnati City Council.

Territory within which Hamilton County Municipal Court judges are elected

As noted above, the bill changes current law to reflect a remedial order already in place regarding the election of judges to Hamilton County Municipal Court. Instead of requiring judges to be elected by the electors of the "territory of the court," the bill requires judges for that court to be elected by the electors of the "relative judicial district of the county." Since 1993, judges elected to the Hamilton County Municipal Court have been elected by judicial districts, instead of at-large by the voters in the territory of the court. This change was required by a remedial order adopted by the United States District Court for the Southern District of Ohio in the case *Mallory v. Eyrich.* The bill codifies the requirements of the remedial order by requiring judges in the Hamilton County Municipal Court to be elected by the electors of the relative judicial district instead of the full territory of the court.

Emergency clause

Judges are scheduled to be elected to the Hamilton County Municipal Court this year. The bill declares an emergency in order to make the new nomination process for Hamilton County Municipal Court judges effective in time for the May 3, 2011, filing deadline for nominating petitions.

HISTORY

ACTION	DATE
Introduced	01-18-11
Reported, H. State Gov't & Elections	01-26-11

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