



Ohio Legislative Service Commission

Bill Analysis

Bethany Boyd

H.B. 433

129th General Assembly
(As Reported by H. Local Government)

Rep. Damschroder

BILL SUMMARY

- Abolishes the Sandusky County County Court, and replaces it, effective January 1, 2013, with the Sandusky County Municipal Court, which will be a county-operated municipal court.
- Creates a full-time municipal court judgeship for the Sandusky County Municipal Court, with the judge to be nominated by petition and elected in 2013 for a six-year term of office, beginning January 1, 2014.
- Requires the two part-time judges of the defunct county court to serve as part-time judges of the municipal court until December 31, 2013, and if a judgeship vacancy occurs on or before that date, the person who is the remaining judge serves as the full-time judge until that date.
- Designates the Sandusky County Clerk of Courts as the clerk of the Sandusky County Municipal Court.

CONTENT AND OPERATION

Creation of Sandusky County Municipal Court

The bill establishes a municipal court in Sandusky County, effective January 1, 2013, in any municipal corporation or unincorporated territory within Sandusky County that is selected by the legislative authority of the court, except in the municipalities of Bellevue and Fremont and in Ballville, Sandusky, and York townships.¹ The court is to be known as the Sandusky County Municipal Court,² and

¹ R.C. 1901.01(H).

has jurisdiction within all of Sandusky County, except within the cities of Bellevue and Fremont and Ballville, Sandusky, and York townships.³ The Sandusky County Municipal Court will be a county-operated municipal court. As such, Sandusky County will be responsible for all costs of operating the Court.⁴

The Sandusky County Municipal Court replaces the Sandusky County County Court. The bill requires that the Sandusky County County Court's two part-time judges that were elected in 2006 serve that Court until December 31, 2012. The Sandusky County County Court ceases to exist on January 1, 2013.⁵

Judges

Beginning on January 1, 2013, the two part-time judges of the defunct Sandusky County County Court must serve as part-time judges of the Sandusky County Municipal Court until December 31, 2013. If either judgeship becomes vacant before January 1, 2014, that judgeship is abolished on the date it becomes vacant, and the person who holds the other judgeship must serve as the full-time judge of the Sandusky County Municipal Court until December 31, 2013.

One full-time judge must be elected as the Sandusky County Municipal Court judge in 2013, to take office January 1, 2014, and to serve a term of six years. That judge must be nominated by a petition that is signed by at least 50 electors of the territory of the Court.⁶

Designation of clerk

Under the bill, the Clerk of Courts of Sandusky County becomes the clerk of the Sandusky County Municipal Court and assumes the duties of that office. The Clerk may appoint a chief deputy clerk for each branch office and assistant clerks as the judge of the court determines are necessary, all of whom are to receive the compensation prescribed by the legislative authority. The Clerk will receive additional semi-monthly compensation for serving as the Sandusky County Municipal Court Clerk at one-fourth the rate prescribed for clerks of courts of common pleas, as required by continuing law.⁷

² R.C. 1901.02(A)(30).

³ R.C. 1901.02(B).

⁴ R.C. 1901.03(F).

⁵ R.C. 1907.11.

⁶ R.C. 1901.07(A) and (C)(6) and 1901.08.

⁷ R.C. 1901.31(A)(2)(c).

HISTORY

ACTION

DATE

Introduced
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05-03-12

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