

**As Reported by the Senate Judiciary Committee**

**135th General Assembly**

**Regular Session**

**2023-2024**

**Sub. H. B. No. 301**

**Representative Swearingen**

**Cosponsors: Representatives Hillyer, Schmidt, Abrams, Brennan, Callender, Carruthers, Cross, Dell'Aquila, Dobos, Isaacsohn, Jarrells, Jones, Kick, Lampton, Lorenz, Mathews, Oelslager, Robb Blasdel, Rogers, Russo, Seitz, Williams, Young, T.**

**Senator Manning**

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**A BILL**

|                                                    |    |
|----------------------------------------------------|----|
| To amend sections 181.21, 345.13, 517.23, 1701.86, | 1  |
| 1702.27, 1702.30, 1702.33, 1702.38, 1702.521,      | 2  |
| 1702.53, 1702.55, 1745.05, 1901.02, 1907.11,       | 3  |
| 2505.02, 2929.20, and 2967.26; to enact new        | 4  |
| section 135.032 and sections 181.26, 1702.341,     | 5  |
| 1702.531, and 3109.055; and to repeal sections     | 6  |
| 135.032 and 135.321 of the Revised Code to amend   | 7  |
| the Nonprofit Corporation Law, the law governing   | 8  |
| dissolving corporations, and the law governing     | 9  |
| the repair or replacement of a mausoleum or        | 10 |
| columbarium; to replace two part-time judgeships   | 11 |
| in the Ashtabula County County Court with one      | 12 |
| full-time judge, and to include the village of     | 13 |
| North Kingsville and Kingsville, Monroe, and       | 14 |
| Sheffield Townships within the territorial         | 15 |
| jurisdiction of the Conneaut Municipal Court; to   | 16 |
| expand the authority of a board of trustees of a   | 17 |
| political subdivision soldiers' memorial; to       | 18 |
| modify the law governing public depositories; to   | 19 |
| establish a standing juvenile committee within     | 20 |

the state criminal sentencing commission; to 21  
allow an immediate appeal of a court order 22  
restricting enforcement of state law; to allow a 23  
court to order parents to undergo conciliation 24  
with a magistrate in a custody proceeding; and 25  
to reiterate the effective date of judicial 26  
release and transitional control provisions 27  
enacted in S.B. 288 of the 134th General 28  
Assembly. 29

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

**Section 1.** That sections 181.21, 345.13, 517.23, 1701.86, 30  
1702.27, 1702.30, 1702.33, 1702.38, 1702.521, 1702.53, 1702.55, 31  
1745.05, 1901.02, 1907.11, 2505.02, 2929.20, and 2967.26 be 32  
amended and new section 135.032 and sections 181.26, 1702.341, 33  
1702.531, and 3109.055 of the Revised Code be enacted to read as 34  
follows: 35

**Sec. 135.032.** (A) For the purposes of this section: 36

(1) "Institution" means an institution eligible to become 37  
a public depository under section 135.03 or 135.32 of the 38  
Revised Code or an eligible credit union, as defined in section 39  
135.62 of the Revised Code. 40

(2) "Prompt corrective action directive" means a directive 41  
issued by a regulatory authority of the United States as 42  
authorized under 12 U.S.C. 1790d or 1831o. 43

(B) An institution designated as a public depository under 44  
this chapter shall notify each governing board that made such 45

designation if the institution becomes party to an active prompt 46  
corrective action directive. 47

(C) Except as otherwise provided in division (D) of this 48  
section, an institution is ineligible to become a public 49  
depository under this chapter or to have active, interim, or 50  
inactive deposits awarded, placed, purchased, made, or 51  
designated pursuant to this chapter, if the institution is party 52  
to an active prompt corrective action directive. 53

(D) If a governing board receives notice under division 54  
(B) of this section, or otherwise becomes aware that an 55  
institution the board designated as a public depository is party 56  
to an active prompt corrective action directive, the board may 57  
do either or both of the following, if the board determines that 58  
it is in the public interest: 59

(1) Allow the public depository to continue to have 60  
active, interim, or inactive deposits awarded, placed, 61  
purchased, made, or designated for the remainder of the 62  
designation period; 63

(2) Designate the institution as a public depository for 64  
additional succeeding designation periods. 65

(E) If a governing board determines that one or both of 66  
the actions permitted by division (D) of this section are in the 67  
public interest, and public moneys are lost due to the failure 68  
of the public depository subject to the active prompt correction 69  
directive, all of the following are relieved from any liability 70  
for that loss: 71

(1) The governing board's treasurer and deputy treasurer; 72

(2) An executive director, director, or other person 73  
employed by the governing board, its treasurer, or its deputy 74

treasurer; 75

(3) Bondspersons and surety of any person described in 76  
divisions (E) (1) and (2) of this section. 77

**Sec. 181.21.** (A) There is hereby created within the 78  
supreme court the state criminal sentencing commission, 79  
consisting of thirty-one members. One member shall be the chief 80  
justice of the supreme court, who shall be the chairperson of 81  
the commission. The following ten members of the commission, no 82  
more than six of whom shall be members of the same political 83  
party, shall be appointed by the chief justice: one judge of a 84  
court of appeals, three judges of courts of common pleas who are 85  
not juvenile court judges, three judges of juvenile courts, and 86  
three judges of municipal courts or county courts. Four members 87  
shall be the superintendent of the state highway patrol, the 88  
state public defender, the director of youth services, and the 89  
director of rehabilitation and correction, or their individual 90  
designees. The following twelve members, no more than seven of 91  
whom shall be members of the same political party, shall be 92  
appointed by the governor after consulting with the appropriate 93  
state associations, if any, that are represented by these 94  
members: one sheriff; two county prosecuting attorneys, at least 95  
one of whom shall be experienced in the prosecution of cases in 96  
juvenile court involving alleged delinquent children, unruly 97  
children, and juvenile traffic offenders; two peace officers of 98  
a municipal corporation or township, at least one of whom shall 99  
be experienced in the investigation of cases involving 100  
juveniles; one former victim of a violation of Title XXIX of the 101  
Revised Code; one attorney whose practice of law primarily 102  
involves the representation of criminal defendants; one member 103  
of the Ohio state bar association; one attorney whose practice 104  
of law primarily involves the representation in juvenile court 105

of alleged delinquent children, unruly children, and juvenile 106  
traffic offenders; one full-time city prosecuting attorney; one 107  
county commissioner; and one mayor, city manager, or member of a 108  
legislative authority of a municipal corporation. Two members 109  
shall be members of the senate, one appointed by the president 110  
of the senate and one appointed by the minority leader of the 111  
senate. Two members shall be members of the house of 112  
representatives, one appointed by the speaker of the house of 113  
representatives and one appointed by the minority leader of the 114  
house of representatives. 115

The chief justice shall become a member of the commission 116  
on August 22, 1990, and the chief justice's successors in office 117  
shall become members of the commission on the day that they 118  
assume the office of chief justice. The term of office of the 119  
chief justice as a member of the commission shall continue for 120  
as long as that person holds the office of chief justice. The 121  
term of office of the member who is an attorney whose practice 122  
of law primarily involves the representation of criminal 123  
defendants, the term of office of the member who is an attorney 124  
whose practice of law primarily involves the representation in 125  
juvenile court of alleged delinquent children, unruly children, 126  
and juvenile traffic offenders, and the term of office of the 127  
former victim of a violation of Title XXIX of the Revised Code 128  
shall be four years. The term of office of the superintendent of 129  
the state highway patrol, the state public defender, the 130  
director of youth services, and the director of rehabilitation 131  
and correction, or their individual designees, as members of the 132  
commission shall continue for as long as they hold the office of 133  
superintendent of the state highway patrol, state public 134  
defender, director of youth services, or director of 135  
rehabilitation and correction. The term of office of a municipal 136

corporation or township peace officer as a member of the 137  
commission shall be the lesser of four years or until that 138  
person ceases to be a peace officer of a municipal corporation 139  
or township. Unless the full-time city prosecuting attorney is 140  
an elected official, the term of office of the full-time city 141  
prosecuting attorney shall be the lesser of four years or until 142  
the full-time city prosecuting attorney ceases to be a full-time 143  
city prosecuting attorney. All of the members of the commission 144  
who are elected officials shall serve the lesser of four years 145  
or until the expiration of their term of office. Any vacancy on 146  
the commission shall be filled in the same manner as the 147  
original appointment. 148

When the chief justice and governor make their 149  
appointments to the commission, they shall consider adequate 150  
representation by race and gender. 151

(B) The commission shall select a vice-chairperson and any 152  
other necessary officers and adopt rules to govern its 153  
proceedings. The commission shall meet as necessary at the call 154  
of the chairperson or on the written request of eight or more of 155  
its members. Sixteen members of the commission constitute a 156  
quorum, and the votes of a majority of the quorum present shall 157  
be required to validate any action of the commission. All 158  
business of the commission shall be conducted in public 159  
meetings. 160

The members of the commission shall serve without 161  
compensation, but each member shall be reimbursed for the 162  
member's actual and necessary expenses incurred in the 163  
performance of the member's official duties on the commission. 164  
In the absence of the chairperson, the vice-chairperson shall 165  
perform the duties of the chairperson. 166

(C) The commission shall establish an office and shall 167  
appoint and fix the compensation of a project director and any 168  
other employees necessary to assist the commission in the 169  
execution of its authority under sections 181.21 to 181.25 of 170  
the Revised Code. The project director shall have a thorough 171  
understanding of the criminal laws of this state and experience 172  
in committee-oriented research. The other employees may include 173  
a research coordinator with experience and training in policy- 174  
oriented research; professional staff employees with backgrounds 175  
in criminal law, criminal justice, political science, or related 176  
fields of expertise; administrative assistants; and secretaries. 177  
The commission also may appoint and fix the compensation of 178  
part-time data collectors, clerical employees, and other 179  
temporary employees as needed to enable the commission to 180  
execute its authority under sections 181.21 to 181.25 of the 181  
Revised Code. 182

(D) (1) The sentencing commission shall establish a 183  
standing juvenile committee. The committee may consist of the 184  
following commission members: 185

(a) The chief justice of the supreme court or the chief 186  
justice's designee; 187

(b) The director of youth services, or the director's 188  
designee; 189

(c) The three juvenile court judges; 190

(d) One court of common pleas judge who is not a juvenile 191  
court judge; 192

(e) One county prosecuting attorney who is experienced in 193  
the prosecution of cases in juvenile court involving alleged 194  
delinquent children, unruly children, and juvenile traffic 195

|                                                                         |     |
|-------------------------------------------------------------------------|-----|
| <u>offenders;</u>                                                       | 196 |
| <u>(f) The attorney whose practice of law primarily involves</u>        | 197 |
| <u>the representation in juvenile court of alleged delinquent</u>       | 198 |
| <u>children, unruly children, and juvenile traffic offenders;</u>       | 199 |
| <u>(g) The former victim of a violation of Title XXIX of the</u>        | 200 |
| <u>Revised Code;</u>                                                    | 201 |
| <u>(h) The county commissioner;</u>                                     | 202 |
| <u>(i) One legislator from each political party;</u>                    | 203 |
| <u>(j) The sheriff;</u>                                                 | 204 |
| <u>(k) One municipal corporation or township peace officer</u>          | 205 |
| <u>who is experienced in the investigation of cases involving</u>       | 206 |
| <u>juveniles;</u>                                                       | 207 |
| <u>(l) Any other persons that the chief justice or the</u>              | 208 |
| <u>chairperson of the committee designates.</u>                         | 209 |
| <u>(2) The members may serve on the committee by designation</u>        | 210 |
| <u>of the chief justice or the chairperson of the committee.</u>        | 211 |
| <u>(3) The chief justice shall designate a member to serve as</u>       | 212 |
| <u>chairperson of the committee. The committee shall select a vice-</u> | 213 |
| <u>chairperson and any other necessary officers and adopt rules to</u>  | 214 |
| <u>govern its proceedings.</u>                                          | 215 |
| <u>(4) The committee shall meet as necessary at the call of</u>         | 216 |
| <u>the chairperson or on the written request of four or more of the</u> | 217 |
| <u>committee's members. A majority of the members of the committee</u>  | 218 |
| <u>constitutes a quorum, and the votes of a majority of the quorum</u>  | 219 |
| <u>present are required to validate any action of the committee,</u>    | 220 |
| <u>including recommendations to the commission.</u>                     | 221 |
| <u>(5) The committee and the commission shall comply with</u>           | 222 |

section 181.26 of the Revised Code. 223

Sec. 181.26. (A) In addition to its duties set forth in 224  
this chapter, the state criminal sentencing commission shall do 225  
all of the following: 226

(1) Review all statutes governing delinquent child, unruly 227  
child, and juvenile traffic offender dispositions in this state; 228

(2) Review state and local resources, including facilities 229  
and programs, used for delinquent child, unruly child, and 230  
juvenile traffic offender dispositions and the populations of 231  
youthful offenders in the facilities and programs; 232

(3) Develop a juvenile justice policy for the state. The 233  
policy shall be designed to: 234

(a) Assist in the managing of the number of persons in, 235  
operation of, and costs of the facilities, the programs, and 236  
other resources used in delinquent child, unruly child, and 237  
juvenile traffic offender dispositions; 238

(b) Further the purposes for disposition under section 239  
2152.01 of the Revised Code; 240

(c) Provide greater certainty, proportionality, 241  
uniformity, fairness, and simplicity in delinquent child, unruly 242  
child, and juvenile traffic offender dispositions while 243  
retaining reasonable judicial discretion. 244

(B) The commission shall do all of the following: 245

(1) Assist in the implementation of statutes governing 246  
delinquent child, unruly child, and juvenile traffic offender 247  
dispositions in this state; 248

(2) Monitor the operation of statutes governing delinquent 249

child, unruly child, and juvenile traffic offender dispositions 250  
in this state, periodically report to the general assembly on 251  
the statutes' operation and the statutes' impact on resources 252  
used in delinquent child, unruly child, and juvenile traffic 253  
offender dispositions, and recommend necessary changes in the 254  
statutes to the general assembly in the biennial monitoring 255  
report described in section 181.25 of the Revised Code; 256

(3) Review all bills that are introduced in the general 257  
assembly related to delinquent child, unruly child, and juvenile 258  
traffic offender dispositions, determine if those bills are 259  
consistent with the juvenile justice policy adopted under 260  
division (A) (3) of this section, recommend to the general 261  
assembly amendments to those bills if necessary, and assist the 262  
general assembly in making legislation consistent with the 263  
juvenile justice policy adopted under division (A) (3) of this 264  
section. 265

**Sec. 345.13.** A soldiers' memorial, provided for by section 266  
345.01 of the Revised Code, shall be maintained so as to 267  
commemorate the services of all members and veterans of the 268  
armed forces of the United States. The board of trustees shall 269  
make rules and regulations for the use, administration, and 270  
maintenance of such memorial as is fitting and necessary to 271  
carry out the purposes thereof. The board of trustees may make 272  
rules and regulations for entertainment, retail, educational, 273  
sporting, social, cultural, or arts opportunities at the 274  
memorial. 275

When such memorial is a building, it shall provide 276  
suitable apartments of sufficient dimensions to commemorate the 277  
soldiers, sailors, marines, and all members of the armed forces 278  
of the United States, so designated by congress, ~~both men and~~ 279

~~women of the county,~~ who have lost their lives while in the 280  
service of the country. Suitable tablets shall be maintained 281  
with the names of such soldiers, sailors, and marines inscribed 282  
thereon. The building may include a public auditorium, music 283  
hall, and recreational facilities. 284

The board may establish rental fees and other charges for 285  
the use of the memorial, and it may waive any portion of such 286  
charges. 287

With the approval of the board of county commissioners, 288  
the board of trustees may enter into contracts with political 289  
subdivisions or nonprofit organizations for the use of other 290  
facilities separate and apart from the memorial, and to provide 291  
other services. Such use shall adhere to the rules and 292  
regulations established by the board of trustees to carry out 293  
the purposes of the memorial. 294

**Sec. 517.23.** (A) Subject to divisions (B), (D), ~~and (E),~~ 295  
and (F) of this section, the board of township trustees, the 296  
trustees or directors of a cemetery association, or the other 297  
officers having control and management of a cemetery or the 298  
officer of a municipal corporation who has control and 299  
management of a municipal cemetery shall disinter or grant 300  
permission to disinter any remains ~~buried~~ interred in the 301  
cemetery in either of the following circumstances: 302

(1) Within thirty days after an application for 303  
disinterment is filed with the cemetery in accordance with 304  
division (A) of section 517.24 of the Revised Code and payment 305  
of the reasonable costs and expense of disinterment is made by 306  
the following applicants: 307

(a) A designated representative, or successor, to whom the 308

decedent had assigned the right of disposition in a written 309  
declaration pursuant to section 2108.70 of the Revised Code and 310  
who had exercised such right at the time of the declarant's 311  
death; 312

(b) If no designated representative exercised the right of 313  
disposition pursuant to section 2108.70 of the Revised Code, the 314  
surviving spouse of the decedent who is eighteen years of age or 315  
older. 316

(2) On order of a probate court issued under division (B) 317  
of section 517.24 of the Revised Code and payment by the person 318  
who applied for the order under that division of the reasonable 319  
costs and expense of disinterment. 320

(B) No disinterment shall be made pursuant to this section 321  
and section 517.24 of the Revised Code if the decedent died of a 322  
contagious or infectious disease until a permit has been issued 323  
by the board of health of a general health district or of a city 324  
health district. This division does not apply to cremated 325  
remains. 326

(C) Upon disinterment of remains under division (A) (1) or 327  
(2) of this section, the involved board, trustees, directors, 328  
other officers, or officer of the municipal corporation shall 329  
deliver or cause to be delivered the disinterred remains to the 330  
applicant under division (A) (1) of this section or, if the 331  
disinterment was pursuant to court order issued under division 332  
(B) of section 517.24 of the Revised Code, to the person who 333  
applied for the order under that division. 334

(D) The board of township trustees, the trustees or 335  
directors of a cemetery association, or the other officers 336  
having control and management of a cemetery or the officer of a 337

municipal corporation who has control and management of a 338  
municipal cemetery may disinter or grant permission to disinter 339  
and, if appropriate, may reinter or grant permission to reinter 340  
any remains ~~buried~~ interred in the cemetery to correct an 341  
interment error in the cemetery if the board, trustees, 342  
directors, other officers, or officer of the municipal 343  
corporation comply with the internal rules of the cemetery 344  
pertaining to disinterments and if the board, trustees, 345  
directors, other officers, or officer of the municipal 346  
corporation provide notice of the disinterment to the person who 347  
has been assigned or reassigned the rights of disposition for 348  
the deceased person under the provisions of section 2108.70 or 349  
2108.81 of the Revised Code. The board, trustees, directors, 350  
other officers, or officer of the municipal corporation may 351  
correct an interment error under this division without a court 352  
order or an application by a person. 353

(E) (1) A person who is an interested party and who is 354  
eighteen years of age or older and of sound mind may apply to 355  
the probate court of the county in which the decedent is ~~buried~~ 356  
interred for an order to prevent the applicant under division 357  
(A) (1) of this section from having the remains of the decedent 358  
disinterred. An application to prevent the disinterment of the 359  
remains of the decedent shall be in writing, subscribed and 360  
verified by oath, and include all of the following: 361

(a) If applicable, a statement that the applicant assumed 362  
financial responsibility for the funeral and ~~burial~~ interment 363  
expenses of the decedent; 364

(b) If division (E) (1) (a) of this section is inapplicable 365  
relative to the applicant, a statement that the applicant did 366  
not assume financial responsibility for the funeral and ~~burial~~ 367

interment expenses of the decedent; 368

(c) A statement that the applicant is eighteen years of 369  
age or older and of sound mind; 370

(d) The relationship of the applicant to the decedent; 371

(e) A statement of the applicant's reasons to oppose the 372  
disinterment of the remains of the decedent. 373

(2) An applicant for an order to prevent the disinterment 374  
of the remains of the decedent under division (E) of this 375  
section promptly shall give notice of the filing of the 376  
application by certified mail, return receipt requested, to the 377  
applicant under division (A) (1) of this section. The notice 378  
shall indicate that the applicant has filed an application for 379  
an order to prevent the disinterment of the remains of the 380  
decedent. 381

~~(F)~~ (F) (1) If the repair or replacement of a mausoleum or 382  
columbarium necessitates the disinterment of one or more sets of 383  
remains, the board, trustees, directors, other officers, or 384  
officer of the municipal corporation, shall file a single 385  
application with the probate court in the county where the 386  
mausoleum or columbarium is situated for a disinterment order 387  
that authorizes the disinterment and reinterment of those 388  
affected remains in the mausoleum or columbarium. Upon the 389  
filing of the application, the probate court shall schedule a 390  
hearing. 391

(2) The board, trustees, directors, other officers, or 392  
officer of the municipal corporation promptly shall provide 393  
notice to the surviving spouses of the affected decedents and to 394  
the persons who have been assigned or reassigned the rights of 395  
disposition for the affected remains under the provisions of 396

sections 2108.70 to 2108.90 of the Revised Code. The notice 397  
shall state that an application for disinterment has been filed 398  
and shall provide the time, date, and location of the hearing. 399  
The notice shall be sent by certified mail, return receipt 400  
requested, or, if the names or addresses of such persons are 401  
unknown and cannot with reasonable diligence be ascertained, the 402  
notice shall be made by publication in a newspaper of general 403  
circulation in the county where the probate court is located and 404  
as otherwise required by the probate court. 405

(3) Upon conducting the hearing, the court shall issue an 406  
order of disinterment if all of the following are satisfied: 407

(a) The affected remains shall be held in a permanent or 408  
temporary structure on cemetery property that allows for access 409  
for visitation during the times that the cemetery's other 410  
grounds and facilities are open for visitation, shall be 411  
properly identified and held in a secure manner without any 412  
commingling of cremated remains, and shall not be held for a 413  
period exceeding eighteen months unless an extension of time is 414  
granted by the probate court for good cause; 415

(b) If a mausoleum or columbarium is being replaced, the 416  
replacement mausoleum or columbarium shall be built on property 417  
that is owned by the cemetery and that is either the same 418  
property upon which the original mausoleum or columbarium was 419  
located or property that is contiguous thereto; 420

(c) The cemetery provided notice as required under 421  
division (F)(2) of this section; 422

(d) Upon considering all of the following, the court finds 423  
there are one or more compelling reasons to issue the requested 424  
order of disinterment: 425

|                                                                         |     |
|-------------------------------------------------------------------------|-----|
| <u>(i) The cost, feasibility, and timetable for the repairs</u>         | 426 |
| <u>or replacement;</u>                                                  | 427 |
| <u>(ii) The current condition of the structure to be repaired</u>       | 428 |
| <u>or replaced;</u>                                                     | 429 |
| <u>(iii) The location, design, features, and overall quality</u>        | 430 |
| <u>of the proposed replacement structure;</u>                           | 431 |
| <u>(iv) The input of the persons receiving notice under</u>             | 432 |
| <u>division (F) (2) of this section.</u>                                | 433 |
| <u>(4) A cemetery is not liable in damages in a civil action</u>        | 434 |
| <u>if the cemetery changes the specific location of entombment</u>      | 435 |
| <u>rights or columbarium rights due to the repair or replacement of</u> | 436 |
| <u>a mausoleum or columbarium made in accordance with an order</u>      | 437 |
| <u>issued by the probate court under division (F) (3) of this</u>       | 438 |
| <u>section.</u>                                                         | 439 |
| <u>(G) As used in this section and in section 517.24 of the</u>         | 440 |
| Revised Code:                                                           | 441 |
| (1) "Cemetery" and "interment" have the same meanings as                | 442 |
| in section 1721.21 of the Revised Code.                                 | 443 |
| (2) "Disinterment" means the recovery of human remains by               | 444 |
| exhumation, disentombment, or disinurnment. "Disinterment" does         | 445 |
| not include the raising and lowering of remains to accommodate          | 446 |
| two interments within a single grave and does not include the           | 447 |
| repositioning of an outside burial container that encroaches an         | 448 |
| adjoining burial space.                                                 | 449 |
| <b>Sec. 1701.86.</b> (A) A corporation may be dissolved                 | 450 |
| voluntarily in the manner provided in this section, provided the        | 451 |
| provisions of Chapter 1704. of the Revised Code do not prevent          | 452 |
| the dissolution from being effected.                                    | 453 |

(B) A resolution of dissolution for a corporation shall 454  
set forth that the corporation elects to be dissolved. The 455  
resolution also may include any of the following: 456

(1) The date on which the certificate of dissolution is to 457  
be filed or the conditions or events that will result in the 458  
filing of the certificate; 459

(2) Authorization for the officers or directors to abandon 460  
the proposed dissolution before the filing of the certificate of 461  
dissolution; 462

(3) Any additional provision considered necessary with 463  
respect to the proposed dissolution and winding up. 464

(C) If an initial stated capital is not set forth in the 465  
articles then before the corporation begins business, or if an 466  
initial stated capital is set forth in the articles then before 467  
subscriptions to shares shall have been received in the amount 468  
of that initial stated capital, the incorporators or a majority 469  
of them may adopt, by a writing signed by each of them, a 470  
resolution of dissolution. 471

(D) The directors may adopt a resolution of dissolution in 472  
any of the following cases: 473

(1) When the corporation has been adjudged bankrupt or has 474  
made a general assignment for the benefit of creditors; 475

(2) By leave of the court, when a receiver has been 476  
appointed in a general creditors' suit or in any suit in which 477  
the affairs of the corporation are to be wound up; 478

(3) When substantially all of the assets have been sold at 479  
judicial sale or otherwise; 480

(4) When the articles have been canceled for failure to 481

file annual franchise or excise tax returns or for failure to 482  
pay franchise or excise taxes and the corporation has not been 483  
reinstated or does not desire to be reinstated; 484

(5) When the period of existence of the corporation 485  
specified in its articles has expired. 486

(E) The shareholders at a meeting held for such purpose 487  
may adopt a resolution of dissolution by the affirmative vote of 488  
the holders of shares entitling them to exercise two-thirds of 489  
the voting power of the corporation on such proposal or, if the 490  
articles provide or permit, by the affirmative vote of a greater 491  
or lesser proportion, though not less than a majority, of such 492  
voting power, and by such affirmative vote of the holders of 493  
shares of any particular class as is required by the articles. 494  
Notice of the meeting of the shareholders shall be given to all 495  
the shareholders whether or not entitled to vote at it. 496

(F) Upon the adoption of a resolution of dissolution, a 497  
certificate shall be prepared, on a form prescribed by the 498  
secretary of state, setting forth all of the following: 499

(1) The name of the corporation; 500

(2) A statement that a resolution of dissolution has been 501  
adopted; 502

(3) A statement of the manner of adoption of such 503  
resolution, and, in the case of its adoption by the 504  
incorporators or directors, a statement of the basis for such 505  
adoption; 506

(4) The place in this state where its principal office is 507  
or is to be located; 508

(5) The internet address of each domain name held or 509

maintained by or on behalf of the corporation; 510

(6) The name and address of its statutory agent; 511

(7) The date of dissolution, if other than the filing 512  
date. The date of dissolution shall not be more than ninety days 513  
after the filing of the certificate of dissolution. 514

(G) When the resolution of dissolution is adopted by the 515  
incorporators, the certificate shall be signed by not less than 516  
a majority of them. In all other cases, the certificate shall be 517  
signed by any authorized officer, unless the officer fails to 518  
execute and file such certificate within thirty days after the 519  
date upon which such certificate is to be filed. In that latter 520  
event, the certificate of dissolution may be signed by any three 521  
shareholders or, if there are less than three shareholders, all 522  
of the shareholders and shall set forth a statement that the 523  
persons signing the certificate are shareholders and are filing 524  
the certificate because of the failure of the officers to do so. 525

(H) Except as otherwise provided in division (I) of this 526  
section, a certificate of dissolution, filed with the secretary 527  
of state, shall be accompanied by all of the following: 528

(1) An affidavit of one or more of the persons executing 529  
the certificate of dissolution or of an officer of the 530  
corporation containing a statement of the counties, if any, in 531  
this state in which the corporation has personal property or a 532  
statement that the corporation is of a type required to pay 533  
personal property taxes to state authorities only; 534

(2) A certificate or other evidence from the department of 535  
taxation showing that the corporation has paid all taxes 536  
administered by and required to be paid to the tax commissioner 537  
that are or will be due from the corporation on the date of the 538

dissolution, ~~or that the department has received an adequate~~ 539  
~~guarantee for the payment of all such taxes;~~ 540

(3) A certificate or other evidence showing the payment of 541  
all personal property taxes accruing up to the date of 542  
dissolution or showing that such payment has been adequately 543  
guaranteed, or an affidavit of one or more of the persons 544  
executing the certificate of dissolution or of an officer of the 545  
corporation containing a statement that the corporation is not 546  
required to pay or the department of taxation has not assessed 547  
any tax for which such a certificate or other evidence is not 548  
provided; 549

(4) A receipt, certificate, or other evidence from the 550  
director of job and family services showing that all 551  
contributions due from the corporation as an employer have been 552  
paid, or that such payment has been adequately guaranteed, or 553  
that the corporation is not subject to such contributions; 554

(5) A receipt, certificate, or other evidence from the 555  
bureau of workers' compensation showing that all premiums due 556  
from the corporation as an employer have been paid, or that such 557  
payment has been adequately guaranteed, or that the corporation 558  
is not subject to such premium payments. 559

(I) In lieu of the receipt, certificate, or other evidence 560  
described in division ~~(H) (3)~~ (H) (2), (3), (4), or (5) of this 561  
section, a certificate of dissolution shall be accompanied by an 562  
affidavit of one or more persons executing the certificate of 563  
dissolution or of an officer of the corporation containing ~~a~~ all 564  
of the following: 565

(1) A statement of the date upon which the particular 566  
department, agency, or authority was advised in writing of the 567

scheduled effective date of the dissolution and was advised in 568  
writing of the acknowledgment by the corporation of the 569  
applicability of the provisions of section 1701.95 of the 570  
Revised Code; 571

(2) Acknowledgment by the corporation that the 572  
dissolution, consolidation, merger, or conversion of the 573  
corporation, as applicable, does not in and of itself 574  
automatically relieve the corporation from payment of tax 575  
liabilities; 576

(3) A statement confirming that the corporation has 577  
submitted to the department of taxation information regarding 578  
the Ohio tax circumstances of the corporation on a form 579  
prescribed by the tax commissioner. Such form shall not include 580  
any covenants, agreements, or certifications by the corporation 581  
regarding payment of taxes, filing of returns, closing of tax 582  
accounts, or any other matter, except that the form may require 583  
the corporation to certify that the information provided in the 584  
form is accurate. 585

(J) Upon the filing of a certificate of dissolution and 586  
such accompanying documents or on a later date specified in the 587  
certificate that is not more than ninety days after the filing, 588  
the corporation shall be dissolved. 589

**Sec. 1702.27.** (A) Except as provided in division (B) of 590  
this section and section 1702.521 of the Revised Code: 591

(1) The number of directors as fixed by the articles or 592  
the regulations shall be not less than three or, if not so 593  
fixed, the number shall be three, except that if there are only 594  
one or two members of the corporation, the number of directors 595  
may be less than three but not less than the number of members. 596

(2) (a) Subject to division (A) (2) (c) of this section, 597  
unless the articles or the regulations fix the number of 598  
directors or provide the manner in which that number may be 599  
fixed or changed by the voting members, the number may be fixed 600  
or changed at a meeting of the voting members called for the 601  
purpose of electing directors, if a quorum is present, by the 602  
affirmative vote of a majority of the voting members present in 603  
person, by the use of authorized communications equipment, by 604  
mail, or, if permitted, by proxy. 605

(b) For purposes of division (A) (2) (a) of this section, 606  
participation by a voting member in a meeting through the use of 607  
any of the means of communication described in that division 608  
constitutes presence in person of that voting member at the 609  
meeting for purposes of determining a quorum. 610

(c) No reduction in the number of directors shall of 611  
itself have the effect of shortening the term of any incumbent 612  
director. 613

(3) ~~The Each~~ director shall be a natural person and shall 614  
have the qualifications, if any, that are stated in the articles 615  
or the regulations. 616

(4) The articles or the regulations may provide that 617  
persons occupying certain positions within or without the 618  
corporation shall be ex officio directors, but, unless otherwise 619  
provided in the articles or the regulations, such ex officio 620  
directors shall not be considered for quorum purposes and shall 621  
have no vote. 622

(B) The court of common pleas of the county in which the 623  
corporation maintains its principal office may, pursuant to 624  
division (A) of section 1702.521 of the Revised Code, order the 625

appointment of a provisional director for the corporation 626  
without regard to the number or qualifications of directors 627  
stated in the articles or regulations of the corporation. 628

**Sec. 1702.30.** (A) Except where the law, the articles, or 629  
the regulations require that action be otherwise authorized or 630  
taken, all of the authority of a corporation shall be exercised 631  
by or under the direction of its directors. For their own 632  
government, the directors may adopt bylaws that are not 633  
inconsistent with the articles or the regulations. 634

(B) A director shall perform the director's duties ~~of as a~~ 635  
director, including the duties as a member of any committee of 636  
the directors upon which the director may serve, in good faith, 637  
in a manner the director reasonably believes to be in or not 638  
opposed to the best interests of the corporation, and with the 639  
care that an ordinarily prudent person in a like position would 640  
use under similar circumstances. A director serving on a 641  
committee of directors is acting as a director. 642

(C) In performing ~~the duties of a director~~ director's 643  
duties, a director is entitled to rely on information, opinions, 644  
reports, or statements, including financial statements and other 645  
financial data, that are prepared or presented by any of the 646  
following: 647

(1) One or more directors, officers, or employees of the 648  
corporation who the director reasonably believes are reliable 649  
and competent in the matters prepared or presented; 650

(2) Counsel, public accountants, or other persons as to 651  
matters that the director reasonably believes are within the 652  
person's professional or expert competence; 653

(3) A committee of the directors upon which the director 654

does not serve, duly established in accordance with a provision 655  
of the articles or the regulations, as to matters within its 656  
designated authority, which committee the director reasonably 657  
believes to merit confidence. 658

(D) For purposes of division (B) of this section, the 659  
following apply: 660

(1) A director shall not be found to have ~~failed to~~ 661  
~~perform-violated~~ the director's duties ~~in accordance with that~~ 662  
under division (B) of this section, unless it is proved, by 663  
clear and convincing evidence, ~~in an action brought against the~~ 664  
~~director~~ that the director has not acted in good faith, in a 665  
manner the director reasonably believes to be in or not opposed 666  
to the best interests of the corporation, or with the care that 667  
an ordinarily prudent person in a like position would use under 668  
similar circumstances. ~~Such an action includes, but is not~~ 669  
~~limited to, an action that involves or affects~~ in any action 670  
brought against a director, including actions involving or 671  
affecting any of the following: 672

(a) A change or potential change in control of the 673  
corporation; 674

(b) A termination or potential termination of the 675  
director's service to the corporation as a director; 676

(c) The director's service in any other position or 677  
relationship with the corporation. 678

(2) A director shall not be considered to be acting in 679  
good faith if the director has knowledge concerning the matter 680  
in question that would cause reliance on information, opinions, 681  
reports, or statements that are prepared or presented by the 682  
persons described in divisions (C) (1) to (3) of this section, to 683

be unwarranted.

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(3) ~~The provisions of~~ Nothing in this division ~~do not~~  
~~limit limits~~ relief available under section 1702.301 of the  
Revised Code.

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~~(E) (1) Subject to divisions (E) (2) and (3) of this~~  
~~section, a (E) A director is~~ shall be liable in damages for any  
~~act action~~ that the director takes or fails to take as a  
director only if it is proved, by clear and convincing evidence,  
in a court ~~with of~~ competent jurisdiction that the director's  
action or failure to act involved an act or omission of the  
~~director was one~~ undertaken with a deliberate intent to cause  
injury to the corporation or ~~was one~~ undertaken with a reckless  
disregard for the best interests of the corporation.

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~~(2) Division (E) (1) of this section does not affect~~  
Nothing in this division affects the liability of ~~a director~~  
directors under section 1702.55 of the Revised Code.

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~~(3) Subject to This division (E) (2) of this section,~~  
~~division (E) (1) of this section~~ does not apply if, and only to  
the extent that, at the time of ~~an a~~ a director's act or omission  
~~of a director~~ that is the subject of complaint, the articles or  
the regulations of the corporation state, by specific reference  
to ~~that this~~ this division, that ~~its the~~ the provisions of this division  
do not apply to the corporation.

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(F) For purposes of this section, a director, in  
determining what ~~a the~~ the director reasonably believes to be in ~~or~~  
~~not opposed to~~ the best interests of the corporation, ~~a director~~  
shall consider the purposes of the corporation and, in the  
director's discretion, may consider any of the following:

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(1) The interests of the corporation's employees,

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suppliers, creditors, and customers ~~of the corporation;~~ 713

(2) The economy of this state and ~~of the nation;~~ 714

(3) Community and societal considerations; 715

(4) The long-term ~~and as well as~~ short-term ~~best~~ interests 716  
of the corporation, including, ~~but not limited to,~~ the 717  
possibility that ~~those~~ these interests may be best served by the 718  
continued independence of the corporation. 719

(G) ~~Divisions~~ 720

Nothing in division (D) and or (E) ~~of this section do not~~ 721  
~~affect~~ affects the duties of a director who acts in any capacity 722  
other than in the capacity as a director. 723

**Sec. 1702.33.** (A) The regulations may provide for the 724  
creation by the directors of an executive committee or any other 725  
committee of the directors, to consist of one or more directors, 726  
and may authorize the delegation to any such committee of any of 727  
the authority of the directors, however conferred. 728

(B) The directors may appoint one or more directors as 729  
alternate members of any committee described in division (A) of 730  
this section, who may take the place of any absent member or 731  
members at any meeting of the particular committee. 732

(C) Each committee described in division (A) of this 733  
section shall serve at the pleasure of the directors, shall act 734  
only in the intervals between meetings of the directors, and 735  
shall be subject to the control and direction of the directors. 736

(D) Unless otherwise provided in the regulations or 737  
ordered by the directors, any committee described in division 738  
(A) of this section may act by a majority of its members at a 739  
meeting or by a writing or writings signed by all of its 740

members. 741

(E) Meetings of committees described in division (A) of 742  
this section may be held by any means of authorized 743  
communications equipment, unless participation by members of the 744  
committee at a meeting by means of authorized communications 745  
equipment is prohibited by the articles, the regulations, or an 746  
order of the directors. Participation in a meeting pursuant to 747  
this division constitutes presence at the meeting. 748

(F) An act or authorization of an act by any committee 749  
described in division (A) of this section within the authority 750  
delegated to it shall be as effective for all purposes as the 751  
act or authorization of the directors. 752

(G) Unless otherwise provided in the articles, the 753  
regulations, or the resolution of the directors creating a 754  
committee described in division (A) of this section, a committee 755  
described in division (A) of this section may do both of the 756  
following: 757

(1) Create one or more subcommittees, each of which 758  
consists of one or more members of the committee; 759

(2) Delegate to a subcommittee any or all of the powers 760  
and authority of the committee. 761

**Sec. 1702.341.** (A) Unless the articles, the regulations, 762  
or a written agreement with an officer establishes additional 763  
fiduciary duties, the only fiduciary duties of an officer are 764  
the duties to the corporation set forth in division (B) of this 765  
section. 766

(B) An officer shall perform the officer's duties to the 767  
corporation in good faith, in a manner the officer reasonably 768  
believes to be in or not opposed to the best interests of the 769

corporation, and with the care that an ordinarily prudent person 770  
in a like position would use under similar circumstances. In 771  
performing an officer's duties, an officer is entitled to rely 772  
on information, opinions, reports, or statements, including 773  
financial statements and other financial data, that are prepared 774  
or presented by any of the following: 775

(1) One or more directors, officers, or employees of the 776  
corporation who the officer reasonably believes are reliable and 777  
competent in the matters prepared or presented; 778

(2) Counsel, public accountants, or other persons as to 779  
matters that the officer reasonably believes are within the 780  
person's professional or expert competence. 781

(C) For purposes of this section, both of the following 782  
apply: 783

(1) In any action brought against an officer, the officer 784  
shall not be found to have violated the officer's duties under 785  
division (B) of this section unless it is proved by clear and 786  
convincing evidence that the officer has not acted in good 787  
faith, in a manner the officer reasonably believes to be in or 788  
not opposed to the best interests of the corporation, or with 789  
the care that an ordinarily prudent person in a like position 790  
would use under similar circumstances. 791

(2) An officer shall not be considered to be acting in 792  
good faith if the officer has knowledge concerning the matter in 793  
question that would cause reliance on information, opinions, 794  
reports, or statements that are prepared or presented by any of 795  
the persons described in division (B)(1) or (2) of this section 796  
to be unwarranted. 797

(D) An officer shall be liable in damages for a violation 798

of the officer's duties under division (B) of this section only 799  
if it is proved by clear and convincing evidence in a court of 800  
competent jurisdiction that the officer's action or failure to 801  
act involved an act or omission undertaken with deliberate 802  
intent to cause injury to the corporation or undertaken with 803  
reckless disregard for the best interests of the corporation. 804  
This division does not apply if, and only to the extent that, at 805  
the time of an officer's act or omission that is the subject of 806  
the complaint, either of the following is true: 807

(1) The articles or the regulations of the corporation 808  
state by specific reference to division (D) of this section that 809  
the provisions of division (D) of this section do not apply to 810  
the corporation. 811

(2) A written agreement between the officer and the 812  
corporation states by specific reference to division (D) of this 813  
section that the provisions of division (D) of this section do 814  
not apply to the officer. 815

(E) Nothing in this section affects the duties of an 816  
officer who acts in any capacity other than the officer's 817  
capacity as an officer. Nothing in this section affects any 818  
contractual obligations of an officer to the corporation. 819

**Sec. 1702.38.** (A) The articles may be amended from time to 820  
time in any respect if the articles as amended set forth all the 821  
provisions that are required in, and only those provisions that 822  
may properly be in, original articles filed at the time of 823  
adopting the amendment, other than with respect to the initial 824  
directors, except that a public benefit corporation shall not 825  
amend its articles in such manner that it will cease to be a 826  
public benefit corporation. 827

(B) Without limiting the generality of the authority 828  
described in division (A) of this section, the articles may be 829  
amended to: 830

(1) Change the name of the corporation; 831

(2) Change the place in this state where its principal 832  
office is to be located; 833

(3) Change, enlarge, or diminish its purpose or purposes; 834

(4) Change any provision of the articles or add any 835  
provision that may properly be included in the articles. 836

(C) (1) If initial directors are not named in the articles, 837  
at any time prior to a meeting of voting members and before the 838  
incorporators have elected directors, the incorporators or a 839  
majority of them, at a meeting, may adopt an amendment. 840

(2) The voting members present in person, by use of 841  
authorized communications equipment, by mail, or, if permitted, 842  
by proxy at a meeting held for that purpose, may adopt an 843  
amendment by the affirmative vote of a majority of the voting 844  
members present if a quorum is present or, if the articles or 845  
the regulations provide or permit, by the affirmative vote of a 846  
greater or lesser proportion or number of the voting members, 847  
and by the affirmative vote of the voting members of any 848  
particular class that is required by the articles or the 849  
regulations. 850

~~(2)~~ (3) For purposes of division (C) (1) or (2) of this 851  
section, participation by a voting member at a meeting through 852  
the use of any of the means of communication described in that 853  
division constitutes presence in person of that voting member at 854  
the meeting for purposes of determining a quorum. 855

(D) In addition to or in lieu of adopting an amendment to 856  
the articles, the voting members may adopt amended articles by 857  
the same action or vote as that required to adopt the amendment. 858

(E) The directors may adopt amended articles to 859  
consolidate the original articles and all previously adopted 860  
amendments to the articles that are in force at the time, or the 861  
voting members at a meeting held for that purpose may adopt the 862  
amended articles by the same vote as that required to adopt an 863  
amendment. 864

(F) Amended articles shall set forth all the provisions 865  
that are required in, and only the provisions that may properly 866  
be in, original articles filed at the time of adopting the 867  
amended articles, other than with respect to the initial 868  
directors, and shall contain a statement that they supersede the 869  
existing articles. 870

(G) Upon the adoption of any amendment or amended 871  
articles, a certificate containing a copy of the resolution 872  
adopting the amendment or amended articles, a statement of the 873  
manner of its adoption, and, in the case of adoption of the 874  
resolution by the directors, a statement of the basis for such 875  
adoption, shall be filed with the secretary of state, and upon 876  
that filing the articles shall be amended accordingly, and the 877  
amended articles shall supersede the existing articles. The 878  
certificate shall be signed by any authorized officer of the 879  
corporation. 880

(H) A copy of an amendment or amended articles changing 881  
the name of a corporation or its principal office in this state, 882  
certified by the secretary of state, may be filed for record in 883  
the office of the county recorder of any county in this state, 884  
and for that recording the county recorder shall charge and 885

collect the same fee as provided for in division (A) (1) of 886  
section 317.32 of the Revised Code. That copy shall be recorded 887  
in the official records of the county recorder. 888

**Sec. 1702.521.** (A) Upon the complaint of not less than 889  
one-fourth of the directors of the corporation or upon the 890  
complaint of not less than one-fourth of the voting members of 891  
the corporation, the court of common pleas of the county in 892  
which the corporation maintains its principal office may order 893  
the appointment of a provisional director for that corporation 894  
if the articles or regulations of the corporation expressly 895  
provide for such an appointment. No appointment shall be made 896  
until a hearing is held by the court. Notice of the hearing 897  
shall be given to each director and the secretary of the 898  
corporation in any manner that the court directs. The 899  
complainants shall establish at the hearing that, because of 900  
irreconcilable differences among the existing directors or 901  
because there are no directors and the voting members are unable 902  
to elect any directors, the continued operation of the 903  
corporation has been substantially impeded or made impossible. 904

(B) A provisional director shall have the same rights and 905  
duties as other directors and shall serve until removed by the 906  
appointing court or by the members of the corporation entitled 907  
to exercise a majority of the voting power of the corporation in 908  
the election of directors or until the provisional director's 909  
earlier resignation or death. If the provisional director dies 910  
or resigns, the court, pursuant to division (A) of this section, 911  
may appoint a replacement provisional director, upon its own 912  
motion and without the filing of a complaint for the appointment 913  
of a provisional director. If the appointing court finds that 914  
the irreconcilable differences no longer exist, it shall order 915  
the removal of the provisional director. 916

(C) No person shall be appointed as a provisional director 917  
unless the person is generally conversant with corporate 918  
affairs, has no legal or equitable interest in the obligations 919  
of the corporation of which the person is to be appointed a 920  
director, and is not indebted to such corporation. The 921  
compensation of a provisional director shall be determined by 922  
agreement with the corporation for which the provisional 923  
director is serving, subject to the approval of the appointing 924  
court, except that the appointing court may fix the provisional 925  
director's compensation in the absence of agreement or in the 926  
event of disagreement between the provisional director and the 927  
corporation. 928

(D) A proceeding concerning the appointment of a 929  
provisional director of a corporation is a special proceeding, 930  
and final orders issued in the proceeding may be vacated, 931  
modified, or reversed on appeal pursuant to the Rules of 932  
Appellate Procedure and, to the extent not in conflict with 933  
those rules, Chapter 2505. of the Revised Code. 934

**Sec. 1702.53.** (A) A copy of the articles or amended 935  
articles filed in the office of the secretary of state, 936  
certified by the secretary of state, shall be conclusive 937  
evidence, except as against the state, that the corporation has 938  
been incorporated under the laws of this state; and a copy duly 939  
certified by the secretary of state of any certificate of 940  
amendment or other certificate filed in the secretary of state's 941  
office shall be prima-facie evidence of such amendment or of the 942  
facts stated in any such certificate, and of the observance and 943  
performance of all antecedent conditions necessary to the action 944  
which such certificate purports to evidence. 945

(B) A copy of amended articles filed in the office of the 946

secretary of state, certified by the secretary of state, shall 947  
be accepted in this state and other jurisdictions in lieu of the 948  
original articles, amendments thereto, and prior amended 949  
articles. 950

(C) The original or a copy of the record of minutes of the 951  
proceedings of the incorporators of a corporation, or of the 952  
proceedings or meetings of the members or any class of members, 953  
or of the directors, or of any committee thereof, including any 954  
written consent, waiver, release, or agreement entered in such 955  
record or minutes, or the original or a copy of a statement that 956  
no specified proceeding was had or that no specified consent, 957  
waiver, release, or agreement exists, shall, when certified to 958  
be true by the secretary or an assistant secretary of a 959  
corporation, be received in the courts as prima-facie evidence 960  
of the facts stated therein. Every meeting referred to in such 961  
certified original or copy shall be deemed duly called and held, 962  
and all motions and resolutions adopted and proceedings had at 963  
such meeting shall be deemed duly adopted and had, and all 964  
elections of directors and all elections or appointments of 965  
officers chosen at such meeting shall be deemed valid, until the 966  
contrary is proved; and whenever a person who is not a member of 967  
a corporation has acted in good faith in reliance upon any such 968  
certified original or copy, it is conclusive in the person's 969  
favor. 970

(D) (1) A certificate issued by the secretary of state 971  
confirming that a corporation is in good standing is, for seven 972  
days after the date on the certificate, conclusive evidence of 973  
both of the following: 974

(a) That the authority of a domestic corporation has not 975  
been limited as described in section 1702.49 or 1702.52 of the 976

Revised Code, provided that both of the following apply: 977

(i) The person relying on the certificate had no knowledge 978  
that the corporation's articles had been canceled. 979

(ii) The certificate is not presented as evidence against 980  
the state. 981

(b) That the license authorizing a foreign corporation to 982  
transact business in this state has not expired, been canceled, 983  
or been surrendered. 984

(2) For purposes of division (D) of this section, "good 985  
standing" means that the authority of the corporation to carry 986  
on business is not limited by section 1702.49 of the Revised 987  
Code. 988

**Sec. 1702.531.** (A) Absent an express agreement to the 989  
contrary, a person providing goods to or performing services for 990  
a domestic or foreign corporation owes no duty to, incurs no 991  
liability or obligation to, and is not in privity with the 992  
members or creditors of the corporation by reason of providing 993  
goods to or performing services for the corporation. 994

(B) Absent an express agreement to the contrary, a person 995  
providing goods to or performing services for a member or group 996  
of members of a domestic or foreign corporation owes no duty to, 997  
incurs no liability or obligation to, and is not in privity with 998  
the corporation, any other members of the corporation, or the 999  
creditors of the corporation by reason of providing goods to or 1000  
performing services for the member or group of members. 1001

**Sec. 1702.55.** (A) The members, the directors, and the 1002  
officers of a corporation shall not be personally liable for any 1003  
obligation of the corporation. 1004

(B) ~~Directors who~~ In addition to any other liabilities 1005  
imposed by law upon directors of a corporation and except as 1006  
provided in division (D) of this section, directors shall be 1007  
jointly and severally liable to the corporation as provided in 1008  
division (C) of this section if they vote for or assent to any 1009  
of the following: 1010

(1) A distribution of assets to members contrary to law or 1011  
the articles; 1012

(2) A distribution of assets to persons other than 1013  
creditors during the winding up of the affairs of the 1014  
corporation, on dissolution or otherwise, without the payment of 1015  
all known obligations of the corporation, or without making 1016  
adequate provision therefor; 1017

(3) The making of loans, other than in the usual conduct 1018  
of its affairs or in accordance with provisions therefor in the 1019  
articles, to an officer, or director, ~~or member~~ of the 1020  
corporation; ~~shall be jointly and severally liable to the~~ 1021  
~~corporation as follows: in~~ other than if, at the time of the 1022  
making of the loan, a majority of the disinterested directors of 1023  
the corporation voted for the loan and, taking into account the 1024  
terms and provisions of the loan and other relevant factors, 1025  
determined that the making of the loan could reasonably be 1026  
expected to benefit the corporation. 1027

(C) (1) In cases under division (B) (1) of this section, up 1028  
to the amount of such distribution in excess of the amount that 1029  
could have been distributed without violation of law or the 1030  
articles, but not in excess of the amount that would inure to 1031  
the benefit of the creditors of the corporation if it was 1032  
insolvent at the time of the distribution or there was 1033  
reasonable ground to believe that by such action it would be 1034

rendered insolvent, or to the benefit of the members other than 1035  
members of the class in respect of which the distribution was 1036  
made; ~~and in~~ 1037

(2) In cases under division (B) (2) of this section, to the 1038  
extent that such obligations (not otherwise barred by statute) 1039  
are not paid, or for the payment of which adequate provision has 1040  
not been made; ~~and in~~ 1041

(3) In cases under division (B) (3) of this section, for 1042  
the amount of the loan with interest thereon at the rate ~~of six~~ 1043  
~~per cent per annum until such~~ specified in section 1343.03 of 1044  
~~the Revised Code until the~~ amount has been paid, ~~except that a.~~ 1045

(D) A director shall not be liable under ~~division~~ 1046  
~~divisions~~ (B) (1) and (C) (1) or ~~(2)~~ divisions (B) (2) and (C) (2) 1047  
of this section if in determining the amount available for any 1048  
such distribution, the director in good faith relied on a 1049  
financial statement of the corporation prepared by an officer or 1050  
employee of the corporation in charge of its accounts or 1051  
certified by a public accountant or firm of public accountants, 1052  
or in good faith the director considered the assets to be of 1053  
their book value, or the director followed what the director 1054  
believed to be sound accounting and business practice. 1055

~~(C)~~ (E) A director who is present at a meeting of the 1056  
directors or a committee thereof at which action on any matter 1057  
is authorized or taken and who has not voted for or against such 1058  
action shall be presumed to have voted for the action unless the 1059  
director's written dissent therefrom is filed either during the 1060  
meeting or within a reasonable time after the adjournment 1061  
thereof, with the person acting as secretary of the meeting or 1062  
with the secretary of the corporation. 1063

~~(D)~~ (F) A member who knowingly receives any distribution 1064  
made contrary to law or the articles shall be liable to the 1065  
corporation for the amount received by the member that is in 1066  
excess of the amount that could have been distributed without 1067  
violation of law or the articles. 1068

~~(E)~~ (G) A director against whom a claim is asserted under 1069  
or pursuant to this section and who is held liable thereon shall 1070  
be entitled to contribution, on equitable principles, from other 1071  
directors who also are liable; and in addition, any director 1072  
against whom a claim is asserted under or pursuant to this 1073  
section or who is held liable shall have a right of contribution 1074  
from the members who knowingly received any distribution made 1075  
contrary to law or the articles, and such members as among 1076  
themselves shall also be entitled to contribution in proportion 1077  
to the amounts received by them respectively. 1078

~~(F)~~ (H) The fact that a loan is made in violation of this 1079  
section does not affect the borrower's liability on the loan. 1080

(I) No action shall be brought by or on behalf of a 1081  
corporation upon any cause of action arising under division (B) 1082  
(1) or (2) of this section at any time after two years from the 1083  
day on which the violation occurs. 1084

~~(G)~~ (J) Nothing contained in this section shall preclude 1085  
any creditor whose claim is unpaid from exercising such rights 1086  
as the creditor otherwise would have by law to enforce the 1087  
creditor's claim against assets of the corporation distributed 1088  
to members or other persons. 1089

**Sec. 1745.05.** As used in this chapter, unless the context 1090  
otherwise requires: 1091

(A) "Authorized communications equipment" means any 1092

communications equipment that provides a transmission, 1093  
including, but not limited to, by telephone, telecopy, or any 1094  
electronic means, from which it can be determined that the 1095  
transmission was authorized by, and accurately reflects the 1096  
intention of, the member or manager involved and, with respect 1097  
to meetings, allows all persons participating in the meeting to 1098  
contemporaneously communicate with each other. 1099

(B) (1) "Entity" means any of the following: 1100

(a) An unincorporated nonprofit association existing under 1101  
the laws of this state or any other state; 1102

(b) A nonprofit corporation existing under the laws of 1103  
this state or any other state; 1104

(c) A for profit corporation existing under the laws of 1105  
this state or any other state; 1106

(d) Any of the following organizations existing under the 1107  
laws of this state, the United States, or any other state: 1108

(i) An unincorporated business or for profit organization, 1109  
including a general or limited partnership; 1110

(ii) A limited liability company; 1111

(iii) Any other legal or commercial entity the formation 1112  
and operation of which is governed by statute. 1113

(2) "Entity" includes a domestic or foreign entity. 1114

(C) "Established practices" means the practices used by an 1115  
unincorporated nonprofit association without material change 1116  
during the most recent five years of its existence or, if it has 1117  
existed for less than five years, during its entire existence. 1118

(D) "Governing principles" means all agreements, whether 1119

oral, in a record, or implied from its established practices, or 1120  
any combination of them, that govern the purpose or operation of 1121  
an unincorporated nonprofit association and the rights and 1122  
obligations of its members and managers. "Governing principles" 1123  
includes any amendment or restatement of the agreements 1124  
constituting the governing principles. 1125

(E) "Internal Revenue Code" means the "Internal Revenue 1126  
Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended. 1127

(F) "Manager" means a person, irrespective of the person's 1128  
designation as director or other designation, that is 1129  
responsible, alone or in concert with others, for the management 1130  
of an unincorporated nonprofit association as stated in division 1131  
(E) of section 1745.32 of the Revised Code. 1132

(G) "Member" means a person that, under the governing 1133  
principles of an unincorporated nonprofit association, is 1134  
entitled to participate in the selection of persons authorized 1135  
to manage the affairs of the association or in the adoption of 1136  
the policies and activities of the association. 1137

(H) "Mutual benefit association" means any unincorporated 1138  
nonprofit association organized under this chapter other than a 1139  
public benefit association. 1140

(I) "Person" means an individual, corporation, business 1141  
trust, statutory entity trust, estate, trust, partnership, 1142  
limited liability company, cooperative, association, joint 1143  
venture, public corporation, government or governmental 1144  
subdivision, agency, or instrumentality, two or more persons 1145  
having a joint or common interest, or any other legal or 1146  
commercial entity. 1147

(J) "Public benefit association" means an unincorporated 1148

nonprofit association that is exempt from federal income 1149  
taxation under section 501(c)(3) of the Internal Revenue Code or 1150  
is organized for a public or charitable purpose and that upon 1151  
dissolution must distribute its assets to a public benefit 1152  
association, the United States, a state or any political 1153  
subdivision of a state, or a person that is recognized as exempt 1154  
from federal income taxation under section 501(c)(3) of the 1155  
Internal Revenue Code. 1156

(K) "Public benefit entity" means an entity that is 1157  
recognized as exempt from federal income taxation under section 1158  
501(c)(3) of the Internal Revenue Code or is organized for a 1159  
public or charitable purpose and that upon dissolution must 1160  
distribute its assets to a public benefit entity, the United 1161  
States, a state or any political subdivision of a state, or a 1162  
person that is recognized as exempt from federal income taxation 1163  
under section 501(c)(3) of the Internal Revenue Code. "Public 1164  
benefit entity" does not include an entity that is organized by 1165  
one or more municipal corporations to further a public purpose 1166  
that is not a charitable purpose. 1167

(L) "Record" means information that is inscribed on a 1168  
tangible medium or that is stored in an electronic or other 1169  
medium and is retrievable in perceivable form. 1170

(M) "Unincorporated nonprofit association" means an 1171  
unincorporated organization, consisting of two or more members 1172  
joined by mutual consent pursuant to an agreement, written, 1173  
oral, or inferred from conduct, for one or more common, 1174  
nonprofit purposes. "Unincorporated nonprofit association" does 1175  
not include any of the following: 1176

(1) A trust; 1177

(2) A marriage, domestic partnership, common law 1178  
relationship, or other domestic living arrangement; 1179

(3) An organization that is formed under any other statute 1180  
that governs the organization and operation of unincorporated 1181  
associations; 1182

(4) A joint tenancy, tenancy in common, or tenancy by the 1183  
entireties notwithstanding that the co-owners share use of the 1184  
property for a nonprofit purpose; 1185

(5) A religious organization that operates according to 1186  
the rules, regulations, canons, discipline, or customs 1187  
established by the organization, including any ministry, 1188  
apostolate, committee, or group within that organization, unless 1189  
the governing principles of such organization specifically 1190  
provide that division (M) (5) of this section does not apply to 1191  
such organization. 1192

(N) (1) Subject to division (N) (2) of this section, 1193  
"volunteer" means a manager, officer, member, or agent of an 1194  
unincorporated nonprofit association, or another person acting 1195  
for the association, who satisfies both of the following: 1196

(a) Performs services for or on behalf of, and under the 1197  
authority or auspices of, that unincorporated nonprofit 1198  
association; 1199

(b) Does not receive compensation, either directly or 1200  
indirectly, for performing those services. 1201

(2) For purposes of division (N) (1) of this section, 1202  
"compensation" does not include any of the following: 1203

(a) Actual and necessary expenses that are incurred by a 1204  
volunteer in connection with the services performed for an 1205

unincorporated nonprofit association and that are reimbursed to 1206  
the volunteer or otherwise paid; 1207

(b) Insurance premiums paid on behalf of a volunteer, and 1208  
amounts paid or reimbursed, pursuant to divisions (A) and (G) of 1209  
section 1745.43 of the Revised Code; 1210

(c) Modest perquisites. 1211

**Sec. 1901.02.** (A) The municipal courts established by 1212  
section 1901.01 of the Revised Code have jurisdiction within the 1213  
corporate limits of their respective municipal corporations, or, 1214  
for the Clermont county municipal court, and, effective January 1215  
1, 2008, the Erie county municipal court, within the municipal 1216  
corporation or unincorporated territory in which they are 1217  
established, and are courts of record. Each of the courts shall 1218  
be styled "\_\_\_\_\_ municipal court," 1219  
inserting the name of the municipal corporation, except the 1220  
following courts, which shall be styled as set forth below: 1221

(1) The municipal court established in Chesapeake that 1222  
shall be styled and known as the "Lawrence county municipal 1223  
court"; 1224

(2) The municipal court established in Cincinnati that 1225  
shall be styled and known as the "Hamilton county municipal 1226  
court"; 1227

(3) The municipal court established in Ravenna that shall 1228  
be styled and known as the "Portage county municipal court"; 1229

(4) The municipal court established in Athens that shall 1230  
be styled and known as the "Athens county municipal court"; 1231

(5) The municipal court established in Columbus that shall 1232  
be styled and known as the "Franklin county municipal court"; 1233

- (6) The municipal court established in London that shall 1234  
be styled and known as the "Madison county municipal court"; 1235
- (7) The municipal court established in Newark that shall 1236  
be styled and known as the "Licking county municipal court"; 1237
- (8) The municipal court established in Wooster that shall 1238  
be styled and known as the "Wayne county municipal court"; 1239
- (9) The municipal court established in Wapakoneta that 1240  
shall be styled and known as the "Auglaize county municipal 1241  
court"; 1242
- (10) The municipal court established in Troy that shall be 1243  
styled and known as the "Miami county municipal court"; 1244
- (11) The municipal court established in Bucyrus that shall 1245  
be styled and known as the "Crawford county municipal court"; 1246
- (12) The municipal court established in Logan that shall 1247  
be styled and known as the "Hocking county municipal court"; 1248
- (13) The municipal court established in Urbana that shall 1249  
be styled and known as the "Champaign county municipal court"; 1250
- (14) The municipal court established in Jackson that shall 1251  
be styled and known as the "Jackson county municipal court"; 1252
- (15) The municipal court established in Springfield that 1253  
shall be styled and known as the "Clark county municipal court"; 1254
- (16) The municipal court established in Kenton that shall 1255  
be styled and known as the "Hardin county municipal court"; 1256
- (17) The municipal court established within Clermont 1257  
county in Batavia or in any other municipal corporation or 1258  
unincorporated territory within Clermont county that is selected 1259  
by the legislative authority of that court that shall be styled 1260

and known as the "Clermont county municipal court"; 1261

(18) The municipal court established in Wilmington that, 1262  
beginning July 1, 1992, shall be styled and known as the 1263  
"Clinton county municipal court"; 1264

(19) The municipal court established in Port Clinton that 1265  
shall be styled and known as the "Ottawa county municipal 1266  
court"; 1267

(20) The municipal court established in Lancaster that, 1268  
beginning January 2, 2000, shall be styled and known as the 1269  
"Fairfield county municipal court"; 1270

(21) The municipal court established within Columbiana 1271  
county in Lisbon or in any other municipal corporation or 1272  
unincorporated territory selected pursuant to division (I) of 1273  
section 1901.021 of the Revised Code, that shall be styled and 1274  
known as the "Columbiana county municipal court"; 1275

(22) The municipal court established in Georgetown that, 1276  
beginning February 9, 2003, shall be styled and known as the 1277  
"Brown county municipal court"; 1278

(23) The municipal court established in Mount Gilead that, 1279  
beginning January 1, 2003, shall be styled and known as the 1280  
"Morrow county municipal court"; 1281

(24) The municipal court established in Greenville that, 1282  
beginning January 1, 2005, shall be styled and known as the 1283  
"Darke county municipal court"; 1284

(25) The municipal court established in Millersburg that, 1285  
beginning January 1, 2007, shall be styled and known as the 1286  
"Holmes county municipal court"; 1287

(26) The municipal court established in Carrollton that, 1288

beginning January 1, 2007, shall be styled and known as the 1289  
"Carroll county municipal court"; 1290

(27) The municipal court established within Erie county in 1291  
Milan or established in any other municipal corporation or 1292  
unincorporated territory that is within Erie county, is within 1293  
the territorial jurisdiction of that court, and is selected by 1294  
the legislative authority of that court that, beginning January 1295  
1, 2008, shall be styled and known as the "Erie county municipal 1296  
court"; 1297

(28) The municipal court established in Ottawa that, 1298  
beginning January 1, 2011, shall be styled and known as the 1299  
"Putnam county municipal court"; 1300

(29) The municipal court established within Montgomery 1301  
county in any municipal corporation or unincorporated territory 1302  
within Montgomery county, except the municipal corporations of 1303  
Centerville, Clayton, Dayton, Englewood, Germantown, Kettering, 1304  
Miamisburg, Moraine, Oakwood, Union, Vandalia, and West 1305  
Carrollton and Butler, German, Harrison, Miami, and Washington 1306  
townships, that is selected by the legislative authority of that 1307  
court and that, beginning July 1, 2010, shall be styled and 1308  
known as the "Montgomery county municipal court"; 1309

(30) The municipal court established in Tiffin that, 1310  
beginning January 1, 2014, shall be styled and known as the 1311  
"Tiffin-Fostoria municipal court"; 1312

(31) The municipal court established in New Lexington 1313  
that, beginning January 1, 2018, shall be styled and known as 1314  
the "Perry county municipal court"; 1315

(32) The municipal court established in Paulding that, 1316  
beginning January 1, 2020, shall be styled and known as the 1317

"Paulding county municipal court"; 1318

(33) The municipal court established in Wauseon that, 1319  
beginning January 1, 2024, shall be styled and known as the 1320  
"Fulton county municipal court." 1321

(B) In addition to the jurisdiction set forth in division 1322  
(A) of this section, the municipal courts established by section 1323  
1901.01 of the Revised Code have jurisdiction as follows: 1324

The Akron municipal court has jurisdiction within Bath, 1325  
Richfield, and Springfield townships, and within the municipal 1326  
corporations of Fairlawn, Lakemore, and Mogadore, in Summit 1327  
county. 1328

The Alliance municipal court has jurisdiction within 1329  
Lexington, Marlboro, Paris, and Washington townships in Stark 1330  
county. 1331

The Ashland municipal court has jurisdiction within 1332  
Ashland county. 1333

The Ashtabula municipal court has jurisdiction within 1334  
Ashtabula, Plymouth, and Saybrook townships in Ashtabula county. 1335

The Athens county municipal court has jurisdiction within 1336  
Athens county. 1337

The Auglaize county municipal court has jurisdiction 1338  
within Auglaize county. 1339

The Avon Lake municipal court has jurisdiction within the 1340  
municipal corporations of Avon and Sheffield in Lorain county. 1341

The Barberton municipal court has jurisdiction within 1342  
Coventry, Franklin, and Green townships, within all of Copley 1343  
township except within the municipal corporation of Fairlawn, 1344

and within the municipal corporations of Clinton and Norton, in 1345  
Summit county. 1346

The Bedford municipal court has jurisdiction within the 1347  
municipal corporations of Bedford Heights, Oakwood, Glenwillow, 1348  
Solon, Bentleyville, Chagrin Falls, Moreland Hills, Orange, 1349  
Warrensville Heights, North Randall, and Woodmere, and within 1350  
Warrensville and Chagrin Falls townships, in Cuyahoga county. 1351

The Bellefontaine municipal court has jurisdiction within 1352  
Logan county. 1353

The Bellevue municipal court has jurisdiction within Lyme 1354  
and Sherman townships in Huron county and within York township 1355  
in Sandusky county. 1356

The Berea municipal court has jurisdiction within the 1357  
municipal corporations of Strongsville, Middleburgh Heights, 1358  
Brook Park, Westview, and Olmsted Falls, and within Olmsted 1359  
township, in Cuyahoga county. 1360

The Bowling Green municipal court has jurisdiction within 1361  
the municipal corporations of Bairdstown, Bloomdale, Bradner, 1362  
Custar, Cygnet, Grand Rapids, Haskins, Hoytville, Jerry City, 1363  
Milton Center, North Baltimore, Pemberville, Portage, Rising 1364  
Sun, Tontogany, Wayne, West Millgrove, and Weston; within Bloom, 1365  
Center, Freedom, Grand Rapids, Henry, Jackson, Liberty, 1366  
Middleton, Milton, Montgomery, Plain, Portage, Washington, 1367  
Webster, and Weston townships in Wood county; and on and after 1368  
January 2, 2024, within Perry township in Wood county. 1369

Beginning February 9, 2003, the Brown county municipal 1370  
court has jurisdiction within Brown county. 1371

The Bryan municipal court has jurisdiction within Williams 1372  
county. 1373

|                                                                  |      |
|------------------------------------------------------------------|------|
| The Cambridge municipal court has jurisdiction within            | 1374 |
| Guernsey county.                                                 | 1375 |
| The Campbell municipal court has jurisdiction within             | 1376 |
| Coitsville township in Mahoning county.                          | 1377 |
| The Canton municipal court has jurisdiction within Canton,       | 1378 |
| Lake, Nimishillen, Osnaburg, Pike, Plain, and Sandy townships in | 1379 |
| Stark county.                                                    | 1380 |
| The Carroll county municipal court has jurisdiction within       | 1381 |
| Carroll county.                                                  | 1382 |
| The Celina municipal court has jurisdiction within Mercer        | 1383 |
| county.                                                          | 1384 |
| The Champaign county municipal court has jurisdiction            | 1385 |
| within Champaign county.                                         | 1386 |
| The Chardon municipal court has jurisdiction within Geauga       | 1387 |
| county.                                                          | 1388 |
| The Chillicothe municipal court has jurisdiction within          | 1389 |
| Ross county.                                                     | 1390 |
| The Circleville municipal court has jurisdiction within          | 1391 |
| Pickaway county.                                                 | 1392 |
| The Clark county municipal court has jurisdiction within         | 1393 |
| Clark county.                                                    | 1394 |
| The Clermont county municipal court has jurisdiction             | 1395 |
| within Clermont county.                                          | 1396 |
| The Cleveland municipal court has jurisdiction within the        | 1397 |
| municipal corporation of Bratenahl in Cuyahoga county.           | 1398 |
| Beginning July 1, 1992, the Clinton county municipal court       | 1399 |
| has jurisdiction within Clinton county.                          | 1400 |

The Columbiana county municipal court has jurisdiction 1401  
within Columbiana county. 1402

Beginning January 1, 2025, the Conneaut municipal court 1403  
has jurisdiction within the municipal corporation of North 1404  
Kingsville, and within Kingsville, Monroe, and Sheffield 1405  
townships, in Ashtabula county. 1406

The Coshocton municipal court has jurisdiction within 1407  
Coshocton county. 1408

The Crawford county municipal court has jurisdiction 1409  
within Crawford county. 1410

Until December 31, 2008, the Cuyahoga Falls municipal 1411  
court has jurisdiction within Boston, Hudson, Northfield Center, 1412  
Sagamore Hills, and Twinsburg townships, and within the 1413  
municipal corporations of Boston Heights, Hudson, Munroe Falls, 1414  
Northfield, Peninsula, Reminderville, Silver Lake, Stow, 1415  
Tallmadge, Twinsburg, and Macedonia, in Summit county. 1416

Beginning January 1, 2005, the Darke county municipal 1417  
court has jurisdiction within Darke county except within the 1418  
municipal corporation of Bradford. 1419

The Defiance municipal court has jurisdiction within 1420  
Defiance county. 1421

The Delaware municipal court has jurisdiction within 1422  
Delaware county. 1423

The Eaton municipal court has jurisdiction within Preble 1424  
county. 1425

The Elyria municipal court has jurisdiction within the 1426  
municipal corporations of Grafton, LaGrange, and North 1427  
Ridgeville, and within Elyria, Carlisle, Eaton, Columbia, 1428

Grafton, and LaGrange townships, in Lorain county. 1429

Beginning January 1, 2008, the Erie county municipal court 1430  
has jurisdiction within Erie county except within the townships 1431  
of Florence, Huron, Perkins, and Vermilion and the municipal 1432  
corporations of Bay View, Castalia, Huron, Sandusky, and 1433  
Vermilion. 1434

The Fairborn municipal court has jurisdiction within the 1435  
municipal corporation of Beavercreek and within Bath and 1436  
Beavercreek townships in Greene county. 1437

Beginning January 2, 2000, the Fairfield county municipal 1438  
court has jurisdiction within Fairfield county. 1439

The Findlay municipal court has jurisdiction, until 1440  
January 2, 2024, within all of Hancock county except within 1441  
Washington township, and on and after January 2, 2024, within 1442  
all of Hancock county. 1443

The Franklin municipal court has jurisdiction within 1444  
Franklin township in Warren county. 1445

The Franklin county municipal court has jurisdiction 1446  
within Franklin county. 1447

The Fremont municipal court has jurisdiction within 1448  
Ballville and Sandusky townships in Sandusky county. 1449

Beginning January 1, 2024, the Fulton county municipal 1450  
court has jurisdiction within Fulton county. 1451

The Gallipolis municipal court has jurisdiction within 1452  
Gallia county. 1453

The Garfield Heights municipal court has jurisdiction 1454  
within the municipal corporations of Maple Heights, Walton 1455

|                                                               |      |
|---------------------------------------------------------------|------|
| Hills, Valley View, Cuyahoga Heights, Newburgh Heights,       | 1456 |
| Independence, and Brecksville in Cuyahoga county.             | 1457 |
| The Girard municipal court has jurisdiction within            | 1458 |
| Liberty, Vienna, and Hubbard townships in Trumbull county.    | 1459 |
| The Hamilton municipal court has jurisdiction within Ross     | 1460 |
| and St. Clair townships in Butler county.                     | 1461 |
| The Hamilton county municipal court has jurisdiction          | 1462 |
| within Hamilton county.                                       | 1463 |
| The Hardin county municipal court has jurisdiction within     | 1464 |
| Hardin county.                                                | 1465 |
| The Hillsboro municipal court has jurisdiction within all     | 1466 |
| of Highland county except within Madison township.            | 1467 |
| The Hocking county municipal court has jurisdiction within    | 1468 |
| Hocking county.                                               | 1469 |
| The Holmes county municipal court has jurisdiction within     | 1470 |
| Holmes county.                                                | 1471 |
| The Huron municipal court has jurisdiction within all of      | 1472 |
| Huron township in Erie county except within the municipal     | 1473 |
| corporation of Sandusky.                                      | 1474 |
| The Ironton municipal court has jurisdiction within Aid,      | 1475 |
| Decatur, Elizabeth, Hamilton, Lawrence, Upper, and Washington | 1476 |
| townships in Lawrence county.                                 | 1477 |
| The Jackson county municipal court has jurisdiction within    | 1478 |
| Jackson county.                                               | 1479 |
| The Kettering municipal court has jurisdiction within the     | 1480 |
| municipal corporations of Centerville and Moraine, and within | 1481 |
| Washington township, in Montgomery county.                    | 1482 |

|                                                                  |      |
|------------------------------------------------------------------|------|
| Until January 2, 2000, the Lancaster municipal court has         | 1483 |
| jurisdiction within Fairfield county.                            | 1484 |
| The Lawrence county municipal court has jurisdiction             | 1485 |
| within the townships of Fayette, Mason, Perry, Rome, Symmes,     | 1486 |
| Union, and Windsor in Lawrence county.                           | 1487 |
| The Lebanon municipal court has jurisdiction within              | 1488 |
| Turtlecreek township in Warren county.                           | 1489 |
| The Licking county municipal court has jurisdiction within       | 1490 |
| Licking county.                                                  | 1491 |
| The Lima municipal court has jurisdiction within Allen           | 1492 |
| county.                                                          | 1493 |
| The Lorain municipal court has jurisdiction within the           | 1494 |
| municipal corporation of Sheffield Lake, and within Sheffield    | 1495 |
| township, in Lorain county.                                      | 1496 |
| The Lyndhurst municipal court has jurisdiction within the        | 1497 |
| municipal corporations of Mayfield Heights, Gates Mills,         | 1498 |
| Mayfield, Highland Heights, and Richmond Heights in Cuyahoga     | 1499 |
| county.                                                          | 1500 |
| The Madison county municipal court has jurisdiction within       | 1501 |
| Madison county.                                                  | 1502 |
| The Mansfield municipal court has jurisdiction within            | 1503 |
| Madison, Springfield, Sandusky, Franklin, Weller, Mifflin, Troy, | 1504 |
| Washington, Monroe, Perry, Jefferson, and Worthington townships, | 1505 |
| and within sections 35-36-31 and 32 of Butler township, in       | 1506 |
| Richland county.                                                 | 1507 |
| The Marietta municipal court has jurisdiction within             | 1508 |
| Washington county.                                               | 1509 |

|                                                                  |      |
|------------------------------------------------------------------|------|
| The Marion municipal court has jurisdiction within Marion        | 1510 |
| county.                                                          | 1511 |
| The Marysville municipal court has jurisdiction within           | 1512 |
| Union county.                                                    | 1513 |
| The Mason municipal court has jurisdiction within                | 1514 |
| Deerfield township in Warren county.                             | 1515 |
| The Massillon municipal court has jurisdiction within            | 1516 |
| Bethlehem, Perry, Sugar Creek, Tuscarawas, Lawrence, and Jackson | 1517 |
| townships in Stark county.                                       | 1518 |
| The Maumee municipal court has jurisdiction within the           | 1519 |
| municipal corporations of Waterville and Whitehouse, within      | 1520 |
| Waterville and Providence townships, and within those portions   | 1521 |
| of Springfield, Monclova, and Swanton townships lying south of   | 1522 |
| the northerly boundary line of the Ohio turnpike, in Lucas       | 1523 |
| county.                                                          | 1524 |
| The Medina municipal court has jurisdiction within the           | 1525 |
| municipal corporations of Briarwood Beach, Brunswick, Chippewa-  | 1526 |
| on-the-Lake, and Spencer and within the townships of Brunswick   | 1527 |
| Hills, Chatham, Granger, Hinckley, Lafayette, Litchfield,        | 1528 |
| Liverpool, Medina, Montville, Spencer, and York townships, in    | 1529 |
| Medina county.                                                   | 1530 |
| The Mentor municipal court has jurisdiction within the           | 1531 |
| municipal corporation of Mentor-on-the-Lake in Lake county.      | 1532 |
| The Miami county municipal court has jurisdiction within         | 1533 |
| Miami county and within the part of the municipal corporation of | 1534 |
| Bradford that is located in Darke county.                        | 1535 |
| The Miamisburg municipal court has jurisdiction within the       | 1536 |
| municipal corporations of Germantown and West Carrollton, and    | 1537 |

within German and Miami townships in Montgomery county. 1538

The Middletown municipal court has jurisdiction within 1539  
Madison township, and within all of Lemon township, except 1540  
within the municipal corporation of Monroe, in Butler county. 1541

Beginning July 1, 2010, the Montgomery county municipal 1542  
court has jurisdiction within all of Montgomery county except 1543  
for the municipal corporations of Centerville, Clayton, Dayton, 1544  
Englewood, Germantown, Kettering, Miamisburg, Moraine, Oakwood, 1545  
Union, Vandalia, and West Carrollton and Butler, German, 1546  
Harrison, Miami, and Washington townships. 1547

Beginning January 1, 2003, the Morrow county municipal 1548  
court has jurisdiction within Morrow county. 1549

The Mount Vernon municipal court has jurisdiction within 1550  
Knox county. 1551

The Napoleon municipal court has jurisdiction within Henry 1552  
county. 1553

The New Philadelphia municipal court has jurisdiction 1554  
within the municipal corporation of Dover, and within Auburn, 1555  
Bucks, Fairfield, Goshen, Jefferson, Warren, York, Dover, 1556  
Franklin, Lawrence, Sandy, Sugarcreek, and Wayne townships in 1557  
Tuscarawas county. 1558

The Newton Falls municipal court has jurisdiction within 1559  
Bristol, Bloomfield, Lordstown, Newton, Braceville, Southington, 1560  
Farmington, and Mesopotamia townships in Trumbull county. 1561

The Niles municipal court has jurisdiction within the 1562  
municipal corporation of McDonald, and within Weathersfield 1563  
township in Trumbull county. 1564

The Norwalk municipal court has jurisdiction within all of 1565

|                                                                  |      |
|------------------------------------------------------------------|------|
| Huron county except within the municipal corporation of Bellevue | 1566 |
| and except within Lyme and Sherman townships.                    | 1567 |
|                                                                  |      |
| The Oberlin municipal court has jurisdiction within the          | 1568 |
| municipal corporations of Amherst, Kipton, Rochester, South      | 1569 |
| Amherst, and Wellington, and within Henrietta, Russia, Camden,   | 1570 |
| Pittsfield, Brighton, Wellington, Penfield, Rochester, and       | 1571 |
| Huntington townships, and within all of Amherst township except  | 1572 |
| within the municipal corporation of Lorain, in Lorain county.    | 1573 |
|                                                                  |      |
| The Oregon municipal court has jurisdiction within the           | 1574 |
| municipal corporation of Harbor View, and within Jerusalem       | 1575 |
| township, in Lucas county, and north within Maumee Bay and Lake  | 1576 |
| Erie to the boundary line between Ohio and Michigan between the  | 1577 |
| easterly boundary of the court and the easterly boundary of the  | 1578 |
| Toledo municipal court.                                          | 1579 |
|                                                                  |      |
| The Ottawa county municipal court has jurisdiction within        | 1580 |
| Ottawa county.                                                   | 1581 |
|                                                                  |      |
| The Painesville municipal court has jurisdiction within          | 1582 |
| Painesville, Perry, Leroy, Concord, and Madison townships in     | 1583 |
| Lake county.                                                     | 1584 |
|                                                                  |      |
| The Parma municipal court has jurisdiction within the            | 1585 |
| municipal corporations of Parma Heights, Brooklyn, Linndale,     | 1586 |
| North Royalton, Broadview Heights, Seven Hills, and Brooklyn     | 1587 |
| Heights in Cuyahoga county.                                      | 1588 |
|                                                                  |      |
| Beginning January 1, 2018, the Perry county municipal            | 1589 |
| court has jurisdiction within Perry county.                      | 1590 |
|                                                                  |      |
| Beginning January 1, 2020, the Paulding county municipal         | 1591 |
| court has jurisdiction within Paulding county.                   | 1592 |
|                                                                  |      |
| The Perrysburg municipal court has jurisdiction within the       | 1593 |

municipal corporations of Luckey, Millbury, Northwood, Rossford, 1594  
and Walbridge, and within Perrysburg, Lake, and Troy townships, 1595  
in Wood county. 1596

The Portage county municipal court has jurisdiction within 1597  
Portage county. 1598

The Portsmouth municipal court has jurisdiction within 1599  
Scioto county. 1600

The Putnam county municipal court has jurisdiction within 1601  
Putnam county. 1602

The Rocky River municipal court has jurisdiction within 1603  
the municipal corporations of Bay Village, Westlake, Fairview 1604  
Park, and North Olmsted, and within Riveredge township, in 1605  
Cuyahoga county. 1606

The Sandusky municipal court has jurisdiction within the 1607  
municipal corporations of Castalia and Bay View, and within 1608  
Perkins township, in Erie county. 1609

The Shaker Heights municipal court has jurisdiction within 1610  
the municipal corporations of University Heights, Beachwood, 1611  
Pepper Pike, and Hunting Valley in Cuyahoga county. 1612

The Shelby municipal court has jurisdiction within Sharon, 1613  
Jackson, Cass, Plymouth, and Blooming Grove townships, and 1614  
within all of Butler township except sections 35-36-31 and 32, 1615  
in Richland county. 1616

The Sidney municipal court has jurisdiction within Shelby 1617  
county. 1618

Beginning January 1, 2009, the Stow municipal court has 1619  
jurisdiction within Boston, Hudson, Northfield Center, Sagamore 1620  
Hills, and Twinsburg townships, and within the municipal 1621

corporations of Boston Heights, Cuyahoga Falls, Hudson, Munroe 1622  
Falls, Northfield, Peninsula, Reminderville, Silver Lake, Stow, 1623  
Tallmadge, Twinsburg, and Macedonia, in Summit county. 1624

The Struthers municipal court has jurisdiction within the 1625  
municipal corporations of Lowellville, New Middleton, and 1626  
Poland, and within Poland and Springfield townships in Mahoning 1627  
county. 1628

The Sylvania municipal court has jurisdiction within the 1629  
municipal corporations of Berkey and Holland, and within 1630  
Sylvania, Richfield, Spencer, and Harding townships, and within 1631  
those portions of Swanton, Monclova, and Springfield townships 1632  
lying north of the northerly boundary line of the Ohio turnpike, 1633  
in Lucas county. 1634

Beginning January 1, 2014, the Tiffin-Fostoria municipal 1635  
court has jurisdiction within Adams, Big Spring, Bloom, Clinton, 1636  
Eden, Hopewell, Jackson, Liberty, Loudon, Pleasant, Reed, 1637  
Scipio, Seneca, Thompson, and Venice townships in Seneca county, 1638  
and beginning on January 1, 2014, and until January 2, 2024, has 1639  
jurisdiction within Washington township in Hancock county, and 1640  
within Perry township, except within the municipal corporation 1641  
of West Millgrove, in Wood county. 1642

The Toledo municipal court has jurisdiction within 1643  
Washington township, and within the municipal corporation of 1644  
Ottawa Hills, in Lucas county. 1645

The Upper Sandusky municipal court has jurisdiction within 1646  
Wyandot county. 1647

The Vandalia municipal court has jurisdiction within the 1648  
municipal corporations of Clayton, Englewood, and Union, and 1649  
within Butler, Harrison, and Randolph townships, in Montgomery 1650

county. 1651

The Van Wert municipal court has jurisdiction within Van 1652  
Wert county. 1653

The Vermilion municipal court has jurisdiction within the 1654  
townships of Vermilion and Florence in Erie county and within 1655  
all of Brownhelm township except within the municipal 1656  
corporation of Lorain, in Lorain county. 1657

The Wadsworth municipal court has jurisdiction within the 1658  
municipal corporations of Gloria Glens Park, Lodi, Seville, and 1659  
Westfield Center, and within Guilford, Harrisville, Homer, 1660  
Sharon, Wadsworth, and Westfield townships in Medina county. 1661

The Warren municipal court has jurisdiction within Warren 1662  
and Champion townships, and within all of Howland township 1663  
except within the municipal corporation of Niles, in Trumbull 1664  
county. 1665

The Washington Court House municipal court has 1666  
jurisdiction within Fayette county. 1667

The Wayne county municipal court has jurisdiction within 1668  
Wayne county. 1669

The Willoughby municipal court has jurisdiction within the 1670  
municipal corporations of Eastlake, Wickliffe, Willowick, 1671  
Willoughby Hills, Kirtland, Kirtland Hills, Waite Hill, 1672  
Timberlake, and Lakeline, and within Kirtland township, in Lake 1673  
county. 1674

Through June 30, 1992, the Wilmington municipal court has 1675  
jurisdiction within Clinton county. 1676

The Xenia municipal court has jurisdiction within 1677  
Caesarcreek, Cedarville, Jefferson, Miami, New Jasper, Ross, 1678

Silvercreek, Spring Valley, Sugarcreek, and Xenia townships in 1679  
Greene county. 1680

(C) As used in this section: 1681

(1) "Within a township" includes all land, including, but 1682  
not limited to, any part of any municipal corporation, that is 1683  
physically located within the territorial boundaries of that 1684  
township, whether or not that land or municipal corporation is 1685  
governmentally a part of the township. 1686

(2) "Within a municipal corporation" includes all land 1687  
within the territorial boundaries of the municipal corporation 1688  
and any townships that are coextensive with the municipal 1689  
corporation. 1690

**Sec. 1907.11.** (A) Each county court district shall have 1691  
the following county court judges, to be elected as follows: 1692

In the Adams county county court, one part-time judge 1693  
shall be elected in 1982. 1694

~~In~~ Until December 31, 2030, in the Ashtabula county county 1695  
court, one part-time judge shall be elected in 1980, and one 1696  
part-time judge shall be elected in 1982. Notwithstanding any 1697  
contrary provision of division (C) of section 1907.13 of the 1698  
Revised Code, the part-time judge to be elected in 2028 shall be 1699  
elected for a term of two years commencing on January 1, 2029, 1700  
and ending on December 31, 2030. The Ashtabula county county 1701  
court part-time judgeships cease to exist on January 1, 2031. 1702  
One full-time judge shall be elected in 2030, for a six-year 1703  
term to commence on January 1, 2031. Effective January 1, 2031, 1704  
notwithstanding division (A) (6) of section 141.04 of the Revised 1705  
Code and division (A) of section 1907.16 of the Revised Code, 1706  
the full-time judge of the Ashtabula county county court under 1707

this section shall receive the compensation set forth in 1708  
division (A) (5) of section 141.04 of the Revised Code. 1709

In the Belmont county county court, one part-time judge 1710  
shall be elected in 1992, term to commence on January 1, 1993, 1711  
and two part-time judges shall be elected in 1994, terms to 1712  
commence on January 1, 1995, and January 2, 1995, respectively. 1713

In the Butler county county court, one part-time judge 1714  
shall be elected in 1992, term to commence on January 1, 1993, 1715  
and two part-time judges shall be elected in 1994, terms to 1716  
commence on January 1, 1995, and January 2, 1995, respectively. 1717

Until December 31, 2007, in the Erie county county court, 1718  
one part-time judge shall be elected in 1982. Effective January 1719  
1, 2008, the Erie county county court shall cease to exist. 1720

In the Harrison county county court, one part-time judge 1721  
shall be elected in 1982. 1722

In the Highland county county court, one part-time judge 1723  
shall be elected in 1982. 1724

In the Jefferson county county court, one part-time judge 1725  
shall be elected in 1992, term to commence on January 1, 1993, 1726  
and two part-time judges shall be elected in 1994, terms to 1727  
commence on January 1, 1995, and January 2, 1995, respectively. 1728

In the Mahoning county county court, one part-time judge 1729  
shall be elected in 1992, term to commence on January 1, 1993, 1730  
and three part-time judges shall be elected in 1994, terms to 1731  
commence on January 1, 1995, January 2, 1995, and January 3, 1732  
1995, respectively. 1733

In the Meigs county county court, one part-time judge 1734  
shall be elected in 1982. 1735

In the Monroe county county court, one part-time judge 1736  
shall be elected in 1982. 1737

In the Morgan county county court, one part-time judge 1738  
shall be elected in 1982. 1739

In the Muskingum county county court, one part-time judge 1740  
shall be elected in 1980, and one part-time judge shall be 1741  
elected in 1982. 1742

In the Noble county county court, one part-time judge 1743  
shall be elected in 1982. 1744

In the Pike county county court, one part-time judge shall 1745  
be elected in 1982. 1746

In the Sandusky county county court, one full-time judge 1747  
shall be elected in 2024, term to commence on January 2, 2025. 1748  
Effective January 2, 2025, notwithstanding division (A)(6) of 1749  
section 141.04 of the Revised Code and division (A) of section 1750  
1907.16 of the Revised Code, the full-time judge of the Sandusky 1751  
county county court under this section shall receive the 1752  
compensation set forth in division (A)(5) of section 141.04 of 1753  
the Revised Code. 1754

In the Trumbull county county court, one part-time judge 1755  
shall be elected in 1992, and one part-time judge shall be 1756  
elected in 1994. 1757

In the Tuscarawas county county court, one part-time judge 1758  
shall be elected in 1982. 1759

In the Vinton county county court, one part-time judge 1760  
shall be elected in 1982. 1761

In the Warren county county court, one part-time judge 1762  
shall be elected in 1980, and one part-time judge shall be 1763

elected in 1982. 1764

(B) (1) Additional judges shall be elected at the next 1765  
regular election for a county court judge as provided in section 1766  
1907.13 of the Revised Code. 1767

(2) Vacancies caused by the death or the resignation from, 1768  
forfeiture of, or removal from office of a judge shall be filled 1769  
in accordance with section 107.08 of the Revised Code, except as 1770  
provided in section 1907.15 of the Revised Code. 1771

**Sec. 2505.02.** (A) As used in this section: 1772

(1) "Substantial right" means a right that the United 1773  
States Constitution, the Ohio Constitution, a statute, the 1774  
common law, or a rule of procedure entitles a person to enforce 1775  
or protect. 1776

(2) "Special proceeding" means an action or proceeding 1777  
that is specially created by statute and that prior to 1853 was 1778  
not denoted as an action at law or a suit in equity. 1779

(3) "Provisional remedy" means a proceeding ancillary to 1780  
an action, including, but not limited to, a proceeding for a 1781  
preliminary injunction, attachment, discovery of privileged 1782  
matter, suppression of evidence, a prima-facie showing pursuant 1783  
to section 2307.85 or 2307.86 of the Revised Code, a prima-facie 1784  
showing pursuant to section 2307.92 of the Revised Code, or a 1785  
finding made pursuant to division (A) (3) of section 2307.93 of 1786  
the Revised Code. 1787

(B) An order is a final order that may be reviewed, 1788  
affirmed, modified, or reversed, with or without retrial, when 1789  
it is one of the following: 1790

(1) An order that affects a substantial right in an action 1791

that in effect determines the action and prevents a judgment; 1792

(2) An order that affects a substantial right made in a 1793  
special proceeding or upon a summary application in an action 1794  
after judgment; 1795

(3) An order that vacates or sets aside a judgment or 1796  
grants a new trial; 1797

(4) An order that grants or denies a provisional remedy 1798  
and to which both of the following apply: 1799

(a) The order in effect determines the action with respect 1800  
to the provisional remedy and prevents a judgment in the action 1801  
in favor of the appealing party with respect to the provisional 1802  
remedy. 1803

(b) The appealing party would not be afforded a meaningful 1804  
or effective remedy by an appeal following final judgment as to 1805  
all proceedings, issues, claims, and parties in the action. 1806

(5) An order that determines that an action may or may not 1807  
be maintained as a class action; 1808

(6) An order determining the constitutionality of any 1809  
changes to the Revised Code made by Am. Sub. S.B. 281 of the 1810  
124th general assembly, including the amendment of sections 1811  
1751.67, 2117.06, 2305.11, 2305.15, 2305.234, 2317.02, 2317.54, 1812  
2323.56, 2711.21, 2711.22, 2711.23, 2711.24, 2743.02, 2743.43, 1813  
2919.16, 3923.63, 3923.64, 4705.15, and 5111.018 (renumbered as 1814  
5164.07 by H.B. 59 of the 130th general assembly), and the 1815  
enactment of sections 2305.113, 2323.41, 2323.43, and 2323.55 of 1816  
the Revised Code or any changes made by Sub. S.B. 80 of the 1817  
125th general assembly, including the amendment of sections 1818  
2125.02, 2305.10, 2305.131, 2315.18, 2315.19, and 2315.21 of the 1819  
Revised Code; 1820

(7) An order in an appropriation proceeding that may be 1821  
appealed pursuant to division (B)(3) of section 163.09 of the 1822  
Revised Code; 1823

(8) An order restraining or restricting enforcement, 1824  
whether on a temporary, preliminary, or permanent basis, in 1825  
whole or in part, facially or as applied, of any state statute 1826  
or regulation, including, but not limited to, orders in the form 1827  
of injunctions, declaratory judgments, or writs. 1828

(C) When a court issues an order that vacates or sets 1829  
aside a judgment or grants a new trial, the court, upon the 1830  
request of either party, shall state in the order the grounds 1831  
upon which the new trial is granted or the judgment vacated or 1832  
set aside. 1833

(D) This section applies to and governs any action, 1834  
including an appeal, that is pending in any court on July 22, 1835  
1998, and all claims filed or actions commenced on or after July 1836  
22, 1998, notwithstanding any provision of any prior statute or 1837  
rule of law of this state. 1838

**Sec. 2929.20.** (A) As used in this section: 1839

(1) (a) Except as provided in division (A)(1)(b) of this 1840  
section, "eligible offender" means any person who, on or after 1841  
April 7, 2009, is serving a stated prison term that includes one 1842  
or more nonmandatory prison terms. A person may be an eligible 1843  
offender and also may be an eighty per cent-qualifying offender 1844  
or, during a declared state of emergency, a state of emergency- 1845  
qualifying offender. 1846

(b) "Eligible offender" does not include any person who, 1847  
on or after April 7, 2009, is serving a stated prison term for 1848  
any of the following criminal offenses that was a felony and was 1849

committed while the person held a public office in this state: 1850

(i) A violation of section 2921.02, 2921.03, 2921.05, 1851  
2921.31, 2921.32, 2921.41, 2921.42, or 2923.32 of the Revised 1852  
Code; 1853

(ii) A violation of section 2913.42, 2921.04, 2921.11, or 1854  
2921.12 of the Revised Code, when the conduct constituting the 1855  
violation was related to the duties of the offender's public 1856  
office or to the offender's actions as a public official holding 1857  
that public office; 1858

(iii) A violation of an existing or former municipal 1859  
ordinance or law of this or any other state or the United States 1860  
that is substantially equivalent to any violation listed in 1861  
division (A) (1) (b) (i) of this section; 1862

(iv) A violation of an existing or former municipal 1863  
ordinance or law of this or any other state or the United States 1864  
that is substantially equivalent to any violation listed in 1865  
division (A) (1) (b) (ii) of this section, when the conduct 1866  
constituting the violation was related to the duties of the 1867  
offender's public office or to the offender's actions as a 1868  
public official holding that public office; 1869

(v) A conspiracy to commit, attempt to commit, or 1870  
complicity in committing any offense listed in division (A) (1) 1871  
(b) (i) or described in division (A) (1) (b) (iii) of this section; 1872

(vi) A conspiracy to commit, attempt to commit, or 1873  
complicity in committing any offense listed in division (A) (1) 1874  
(b) (ii) or described in division (A) (1) (b) (iv) of this section, 1875  
if the conduct constituting the offense that was the subject of 1876  
the conspiracy, that would have constituted the offense 1877  
attempted, or constituting the offense in which the offender was 1878

complicit was or would have been related to the duties of the 1879  
offender's public office or to the offender's actions as a 1880  
public official holding that public office. 1881

(2) "State of emergency-qualifying offender" means any 1882  
inmate to whom all of the following apply: 1883

(a) The inmate is serving a stated prison term during a 1884  
state of emergency that is declared by the governor as a direct 1885  
response to a pandemic or public health emergency. 1886

(b) The geographical area covered by the declared state of 1887  
emergency includes the location at which the inmate is serving 1888  
the stated prison term described in division (A) (2) (a) of this 1889  
section. 1890

(c) There is a direct nexus between the emergency that is 1891  
the basis of the governor's declaration of the state of 1892  
emergency and the circumstances of, and need for release of, the 1893  
inmate. 1894

(3) (a) "Eighty per cent-qualifying offender" means an 1895  
offender who is serving a stated prison term of one year or 1896  
more, on or after April 4, 2023, who has commenced service of 1897  
that stated prison term, who is not serving a stated prison term 1898  
that includes a disqualifying prison term or a stated prison 1899  
term that consists solely of one or more restricting prison 1900  
terms, and to whom either of the following applies: 1901

(i) If the offender is serving a stated prison term of one 1902  
year or more that includes one or more restricting prison terms 1903  
and one or more eligible prison terms, the offender has fully 1904  
served all restricting prison terms and has served eighty per 1905  
cent of that stated prison term that remains to be served after 1906  
all restricting prison terms have been fully served. 1907

(ii) If the offender is serving a stated prison term of 1908  
one year or more that consists solely of one or more eligible 1909  
prison terms, the offender has served eighty per cent of that 1910  
stated prison term. 1911

(b) For purposes of determining whether an offender is an 1912  
eighty per cent-qualifying offender under division (A) (3) (a) of 1913  
this section: 1914

(i) If the offender's stated prison term includes 1915  
consecutive prison terms, any restricting prison terms shall be 1916  
deemed served prior to any eligible prison terms that run 1917  
consecutively to the restricting prison terms, and the eligible 1918  
prison terms are deemed to commence after all of the restricting 1919  
prison terms have been fully served. 1920

(ii) An offender serving a stated prison term of one year 1921  
or more that includes a mandatory prison term that is not a 1922  
disqualifying prison term and is not a restricting prison term 1923  
is not automatically disqualified from being an eighty per cent- 1924  
qualifying offender as a result of the offender's service of 1925  
that mandatory term for release from prison under this section, 1926  
and the offender may be eligible for release from prison in 1927  
accordance with this division and division (O) of this section. 1928

(4) "Nonmandatory prison term" means a prison term that is 1929  
not a mandatory prison term. 1930

(5) "Public office" means any elected federal, state, or 1931  
local government office in this state. 1932

(6) "Victim's representative" has the same meaning as in 1933  
section 2930.01 of the Revised Code. 1934

(7) "Imminent danger of death," "medically incapacitated," 1935  
and "terminal illness" have the same meanings as in section 1936

2967.05 of the Revised Code. 1937

(8) "Aggregated nonmandatory prison term or terms" means 1938  
the aggregate of the following: 1939

(a) All nonmandatory definite prison terms; 1940

(b) With respect to any non-life felony indefinite prison 1941  
term, all nonmandatory minimum prison terms imposed as part of 1942  
the non-life felony indefinite prison term or terms. 1943

(9) "Deadly weapon" and "dangerous ordnance" have the same 1944  
meanings as in section 2923.11 of the Revised Code. 1945

(10) "Disqualifying prison term" means any of the 1946  
following: 1947

(a) A prison term imposed for aggravated murder, murder, 1948  
voluntary manslaughter, involuntary manslaughter, felonious 1949  
assault, kidnapping, rape, aggravated arson, aggravated 1950  
burglary, or aggravated robbery; 1951

(b) A prison term imposed for complicity in, an attempt to 1952  
commit, or conspiracy to commit any offense listed in division 1953  
(A) (10) (a) of this section; 1954

(c) A prison term of life imprisonment, including any term 1955  
of life imprisonment that has parole eligibility; 1956

(d) A prison term imposed for any felony other than 1957  
carrying a concealed weapon an essential element of which is any 1958  
conduct or failure to act expressly involving any deadly weapon 1959  
or dangerous ordnance; 1960

(e) A prison term imposed for any violation of section 1961  
2925.03 of the Revised Code that is a felony of the first or 1962  
second degree; 1963

(f) A prison term imposed for engaging in a pattern of corrupt activity in violation of section 2923.32 of the Revised Code;

(g) A prison term imposed pursuant to section 2971.03 of the Revised Code;

(h) A prison term imposed for any sexually oriented offense.

(11) "Eligible prison term" means any prison term that is not a disqualifying prison term and is not a restricting prison term.

(12) "Restricting prison term" means any of the following:

(a) A mandatory prison term imposed under division (B) (1) (a), (B) (1) (c), (B) (1) (f), (B) (1) (g), (B) (2), or (B) (7) of section 2929.14 of the Revised Code for a specification of the type described in that division;

(b) In the case of an offender who has been sentenced to a mandatory prison term for a specification of the type described in division (A) (12) (a) of this section, the prison term imposed for the felony offense for which the specification was stated at the end of the body of the indictment, count in the indictment, or information charging the offense;

(c) A prison term imposed for trafficking in persons;

(d) A prison term imposed for any offense that is described in division (A) (12) (d) (i) of this section if division (A) (12) (d) (ii) of this section applies to the offender:

(i) The offense is a felony of the first or second degree that is an offense of violence and that is not described in division (A) (10) (a) or (b) of this section, an attempt to commit

a felony of the first or second degree that is an offense of 1992  
violence and that is not described in division (A) (10) (a) or (b) 1993  
of this section if the attempt is a felony of the first or 1994  
second degree, or an offense under an existing or former law of 1995  
this state, another state, or the United States that is or was 1996  
substantially equivalent to any other offense described in this 1997  
division. 1998

(ii) The offender previously was convicted of or pleaded 1999  
guilty to any offense listed in division (A) (10) or (A) (12) (d) 2000  
(i) of this section. 2001

(13) "Sexually oriented offense" has the same meaning as 2002  
in section 2950.01 of the Revised Code. 2003

(14) "Stated prison term of one year or more" means a 2004  
definite prison term of one year or more imposed as a stated 2005  
prison term, or a minimum prison term of one year or more 2006  
imposed as part of a stated prison term that is a non-life 2007  
felony indefinite prison term. 2008

(B) On the motion of an eligible offender, on the motion 2009  
of a state of emergency-qualifying offender made during the 2010  
declared state of emergency, or on its own motion with respect 2011  
to an eligible offender or with respect to a state of emergency- 2012  
qualifying offender during the declared state of emergency, the 2013  
sentencing court may reduce the offender's aggregated 2014  
nonmandatory prison term or terms through a judicial release 2015  
under this section. 2016

(C) (1) Subject to division (C) (2) of this section, an 2017  
eligible offender may file a motion for judicial release with 2018  
the sentencing court, or a state of emergency-qualifying 2019  
offender may file a motion for judicial release with the 2020

sentencing court during the declared state of emergency, within 2021  
the following applicable periods: 2022

(a) If the aggregated nonmandatory prison term or terms is 2023  
less than two years, the eligible offender or state of 2024  
emergency-qualifying offender may file the motion at any time 2025  
after the offender is delivered to a state correctional 2026  
institution or, if the prison term includes a mandatory prison 2027  
term or terms, at any time after the expiration of all mandatory 2028  
prison terms. 2029

(b) If the aggregated nonmandatory prison term or terms is 2030  
at least two years but less than five years, the eligible 2031  
offender or state of emergency-qualifying offender may file the 2032  
motion not earlier than one hundred eighty days after the 2033  
offender is delivered to a state correctional institution or, if 2034  
the prison term includes a mandatory prison term or terms, not 2035  
earlier than one hundred eighty days after the expiration of all 2036  
mandatory prison terms. 2037

(c) If the aggregated nonmandatory prison term or terms is 2038  
five years, the eligible offender or state of emergency- 2039  
qualifying offender may file the motion not earlier than the 2040  
date on which the offender has served four years of the 2041  
offender's stated prison term or, if the prison term includes a 2042  
mandatory prison term or terms, not earlier than four years 2043  
after the expiration of all mandatory prison terms. 2044

(d) If the aggregated nonmandatory prison term or terms is 2045  
more than five years but not more than ten years, the eligible 2046  
offender or state of emergency-qualifying offender may file the 2047  
motion not earlier than the date on which the offender has 2048  
served five years of the offender's stated prison term or, if 2049  
the prison term includes a mandatory prison term or terms, not 2050

earlier than five years after the expiration of all mandatory 2051  
prison terms. 2052

(e) If the aggregated nonmandatory prison term or terms is 2053  
more than ten years, the eligible offender or state of 2054  
emergency-qualifying offender may file the motion not earlier 2055  
than the later of the date on which the offender has served one- 2056  
half of the offender's stated prison term or the date specified 2057  
in division (C) (1) (d) of this section. 2058

(f) With respect to a state of emergency-qualifying 2059  
offender, if the offender's prison term does not include a 2060  
mandatory prison term or terms, or if the offender's prison term 2061  
includes one or more mandatory prison terms and the offender has 2062  
completed the mandatory prison term or terms, the state of 2063  
emergency-qualifying offender may file the motion at any time 2064  
during the offender's aggregated nonmandatory prison term or 2065  
terms, provided that time also is during the declared state of 2066  
emergency. 2067

(2) During any single declared state of emergency, a state 2068  
of emergency-qualifying offender may only file a motion for 2069  
judicial release as a state of emergency-qualifying offender 2070  
with the sentencing court during that declared state of 2071  
emergency once every six months. 2072

(D) (1) (a) Upon receipt of a timely motion for judicial 2073  
release filed by an eligible offender or a state of emergency- 2074  
qualifying offender under division (C) of this section, or upon 2075  
the sentencing court's own motion made within the appropriate 2076  
time specified in that division, the court may deny the motion 2077  
without a hearing or schedule a hearing on the motion. The court 2078  
may grant the motion without a hearing for an offender under 2079  
consideration for judicial release as a state of emergency- 2080

qualifying offender, but the court shall not grant the motion 2081  
without a hearing for an offender under consideration as an 2082  
eligible offender. If a court denies a motion without a hearing, 2083  
the court later may consider judicial release for that eligible 2084  
offender or that state of emergency-qualifying offender on a 2085  
subsequent motion. For an offender under consideration for 2086  
judicial release as an eligible offender, but not for one under 2087  
consideration as a state of emergency-qualifying offender, the 2088  
court may deny the motion with prejudice. If a court denies a 2089  
motion with prejudice, the court may later consider judicial 2090  
release on its own motion. For an offender under consideration 2091  
for judicial release as a state of emergency-qualifying 2092  
offender, the court shall not deny a motion with prejudice. For 2093  
an offender under consideration for judicial release as an 2094  
eligible offender, but not for one under consideration as a 2095  
state of emergency-qualifying offender, if a court denies a 2096  
motion after a hearing, the court shall not consider a 2097  
subsequent motion for that offender based on the offender's 2098  
classification as an eligible offender. The court may hold 2099  
multiple hearings for any offender under consideration for 2100  
judicial release as a state of emergency-qualifying offender, 2101  
but shall hold only one hearing for any offender under 2102  
consideration as an eligible offender. 2103

(b) If an offender is under consideration for judicial 2104  
release as an eligible offender and the motion is denied, and if 2105  
the offender at that time also is or subsequently becomes a 2106  
state of emergency-qualifying offender, the denial does not 2107  
limit or affect any right of the offender to file a motion under 2108  
this section for consideration for judicial release as a state 2109  
of emergency-qualifying offender or for the court on its own 2110  
motion to consider the offender for judicial release as a state 2111

of emergency-qualifying offender. 2112

If an offender is under consideration for judicial release 2113  
as a state of emergency-qualifying offender and the motion is 2114  
denied, and if the offender at that time also is or subsequently 2115  
becomes an eligible offender, the denial does not limit or 2116  
affect any right of the offender to file a motion under this 2117  
section for consideration for judicial release as an eligible 2118  
offender or for the court on its own motion to consider the 2119  
offender for judicial release as an eligible offender. 2120

(2) (a) With respect to a motion for judicial release filed 2121  
by an offender as an eligible offender or made by the court on 2122  
its own motion for an offender as an eligible offender, a 2123  
hearing under this section shall be conducted in open court not 2124  
less than thirty or more than sixty days after the motion is 2125  
filed, provided that the court may delay the hearing for one 2126  
hundred eighty additional days. If the court holds a hearing, 2127  
the court shall enter a ruling on the motion within ten days 2128  
after the hearing. If the court denies the motion without a 2129  
hearing, the court shall enter its ruling on the motion within 2130  
sixty days after the motion is filed. 2131

(b) With respect to a motion for judicial release filed by 2132  
an offender as a state of emergency-qualifying offender or made 2133  
by the court on its own motion for an offender as a state of 2134  
emergency-qualifying offender, the court shall notify the 2135  
prosecuting attorney of the county in which the offender was 2136  
indicted and may order the prosecuting attorney to respond to 2137  
the motion in writing within ten days. The prosecuting attorney 2138  
shall notify the victim pursuant to the Ohio Constitution. The 2139  
prosecuting attorney shall include in the response any statement 2140  
that the victim wants to be represented to the court. The court 2141

shall consider any response from the prosecuting attorney and 2142  
any statement from the victim in its ruling on the motion. After 2143  
receiving the response from the prosecuting attorney, the court 2144  
either shall order a hearing consistent with divisions (E) to 2145  
(I) of this section as soon as possible, or shall enter its 2146  
ruling on the motion for judicial release as soon as possible. 2147  
If the court conducts a hearing, the hearing shall be conducted 2148  
in open court or by a virtual, telephonic, or other form of 2149  
remote hearing. If the court holds a hearing, the court shall 2150  
enter a ruling on the motion within ten days after the hearing. 2151  
If the court denies the motion without a hearing, the court 2152  
shall enter its ruling on the motion within ten days after the 2153  
motion is filed or after it receives the response from the 2154  
prosecuting attorney. 2155

(E) If a court schedules a hearing under divisions (D) (1) 2156  
and (2) (a) of this section or under divisions (D) (1) and (2) (b) 2157  
of this section, the court shall notify the subject eligible 2158  
offender or state of emergency-qualifying offender and the head 2159  
of the state correctional institution in which that subject 2160  
offender is confined prior to the hearing. The head of the state 2161  
correctional institution immediately shall notify the 2162  
appropriate person at the department of rehabilitation and 2163  
correction of the hearing, and the department within twenty-four 2164  
hours after receipt of the notice, shall post on the database it 2165  
maintains pursuant to section 5120.66 of the Revised Code the 2166  
subject offender's name and all of the information specified in 2167  
division (A) (1) (c) (i) of that section. If the court schedules a 2168  
hearing for judicial release, the court promptly shall give 2169  
notice of the hearing to the prosecuting attorney of the county 2170  
in which the subject eligible offender or state of emergency- 2171  
qualifying offender was indicted. Upon receipt of the notice 2172

from the court, the prosecuting attorney shall do whichever of 2173  
the following is applicable: 2174

(1) Subject to division (E)(2) of this section, notify the 2175  
victim of the offense and the victim's representative, if 2176  
applicable, pursuant to the Ohio Constitution and division (B) 2177  
of section 2930.16 of the Revised Code; 2178

(2) If the offense was an offense of violence that is a 2179  
felony of the first, second, or third degree, except as 2180  
otherwise provided in this division, pursuant to the Ohio 2181  
Constitution, notify the victim and the victim's representative, 2182  
if applicable, of the hearing regardless of whether the victim 2183  
or victim's representative has requested the notification. 2184  
Except when notice to the victim is required under the Ohio 2185  
Constitution, the notice of the hearing shall not be given under 2186  
this division to a victim or victim's representative if the 2187  
victim or victim's representative has requested pursuant to 2188  
division (B)(2) of section 2930.03 of the Revised Code that the 2189  
victim or the victim's representative not be provided the 2190  
notice. If notice is to be provided to a victim or victim's 2191  
representative under this division, the prosecuting attorney may 2192  
give the notice by any reasonable means, including regular mail, 2193  
telephone, and electronic mail, in accordance with division (D) 2194  
(1) of section 2930.16 of the Revised Code. If the notice is 2195  
based on an offense committed prior to March 22, 2013, the 2196  
notice also shall include the opt-out information described in 2197  
division (D)(1) of section 2930.16 of the Revised Code. The 2198  
prosecuting attorney, in accordance with division (D)(2) of 2199  
section 2930.16 of the Revised Code, shall keep a record of all 2200  
attempts to provide the notice, and of all notices provided, 2201  
under this division. Division (E)(2) of this section, and the 2202  
notice-related provisions of division (K) of this section, 2203

division (D) (1) of section 2930.16, division (H) of section 2204  
2967.12, division (E) (1) (b) of section 2967.19 as it existed 2205  
prior to April 4, 2023, division (A) (3) (b) of section 2967.26, 2206  
division (D) (1) of section 2967.28, and division (A) (2) of 2207  
section 5149.101 of the Revised Code enacted in the act in which 2208  
division (E) (2) of this section was enacted, shall be known as 2209  
"Roberta's Law." 2210

(F) Upon an offender's successful completion of 2211  
rehabilitative activities, the head of the state correctional 2212  
institution may notify the sentencing court of the successful 2213  
completion of the activities. 2214

(G) Prior to the date of the hearing on a motion for 2215  
judicial release made by an eligible offender, by a state of 2216  
emergency-qualifying offender, or by a court on its own under 2217  
this section, the head of the state correctional institution in 2218  
which the subject offender is confined shall send to the court 2219  
an institutional summary report on the offender's conduct in the 2220  
institution and in any institution from which the offender may 2221  
have been transferred. Upon the request of the prosecuting 2222  
attorney of the county in which the subject offender was 2223  
indicted or of any law enforcement agency, the head of the state 2224  
correctional institution, at the same time the person sends the 2225  
institutional summary report to the court, also shall send a 2226  
copy of the report to the requesting prosecuting attorney and 2227  
law enforcement agencies. The institutional summary report shall 2228  
cover the subject offender's participation in school, vocational 2229  
training, work, treatment, and other rehabilitative activities 2230  
and any disciplinary action taken against the subject offender. 2231  
The report shall be made part of the record of the hearing. A 2232  
presentence investigation report is not required for judicial 2233  
release. 2234

(H) If the court grants a hearing on a motion for judicial  
release made by an eligible offender, by a state of emergency-  
qualifying offender, or by a court on its own under this  
section, the subject offender shall attend the hearing if  
ordered to do so by the court. Upon receipt of a copy of the  
journal entry containing the order, the head of the state  
correctional institution in which the subject offender is  
incarcerated shall deliver the subject offender to the sheriff  
of the county in which the hearing is to be held. The sheriff  
shall convey the subject offender to and from the hearing.

(I) At the hearing on a motion for judicial release under  
this section made by an eligible offender, by a state of  
emergency-qualifying offender, or by a court on its own, the  
court shall afford the subject offender and the offender's  
attorney an opportunity to present written and, if present, oral  
information relevant to the motion. The court shall afford a  
similar opportunity to the prosecuting attorney, the victim, the  
victim's representative, the victim's attorney, if applicable,  
and any other person the court determines is likely to present  
additional relevant information. The court shall consider any  
oral or written statement of a victim, victim's representative,  
and victim's attorney, if applicable, made pursuant to section  
2930.14 or 2930.17 of the Revised Code, any victim impact  
statement prepared pursuant to section 2947.051 of the Revised  
Code, and any report made under division (G) of this section.  
The court may consider any written statement of any person  
submitted to the court pursuant to division (L) of this section.

If the motion alleges that the offender who is the subject  
of the motion is an eligible offender and the court makes an  
initial determination that the offender satisfies the criteria  
for being an eligible offender, or if the motion alleges that

the offender who is the subject of the motion is a state of 2266  
emergency-qualifying offender and the court makes an initial 2267  
determination that the offender satisfies the criteria for being 2268  
a state of emergency-qualifying offender, the court shall 2269  
determine whether to grant the motion. After ruling on the 2270  
motion, the court shall notify the prosecuting attorney of the 2271  
county in which the eligible offender or state of emergency- 2272  
qualifying offender was indicted of the ruling, and the 2273  
prosecuting attorney shall notify the victim and the victim's 2274  
representative of the ruling in accordance with sections 2930.03 2275  
and 2930.16 of the Revised Code or, if the court granted the 2276  
motion, in accordance with division (K) of this section. 2277

(J) (1) A court shall not grant a judicial release under 2278  
this section to an offender who is imprisoned for a felony of 2279  
the first or second degree and who is under consideration as an 2280  
eligible offender, or to an offender who committed an offense 2281  
under Chapter 2925. or 3719. of the Revised Code, who is under 2282  
consideration as an eligible offender, and for whom there was a 2283  
presumption under section 2929.13 of the Revised Code in favor 2284  
of a prison term, unless the court, with reference to factors 2285  
under section 2929.12 of the Revised Code, finds both of the 2286  
following: 2287

(a) That a sanction other than a prison term would 2288  
adequately punish the offender and protect the public from 2289  
future criminal violations by the offender because the 2290  
applicable factors indicating a lesser likelihood of recidivism 2291  
outweigh the applicable factors indicating a greater likelihood 2292  
of recidivism; 2293

(b) That a sanction other than a prison term would not 2294  
demean the seriousness of the offense because factors indicating 2295

that the offender's conduct in committing the offense was less 2296  
serious than conduct normally constituting the offense outweigh 2297  
factors indicating that the eligible offender's conduct was more 2298  
serious than conduct normally constituting the offense. 2299

(2) A court that grants a judicial release under division 2300  
(J) (1) of this section to an offender who is under consideration 2301  
as an eligible offender shall specify on the record both 2302  
findings required in that division and also shall list all the 2303  
factors described in that division that were presented at the 2304  
hearing. 2305

(3) (a) Subject to division (J) (3) (b) of this section, a 2306  
court shall grant a judicial release under this section to an 2307  
offender who is under consideration as a state of emergency- 2308  
qualifying offender if the court determines that the risks posed 2309  
by incarceration to the health and safety of the offender, 2310  
because of the nature of the declared state of emergency, 2311  
outweigh the risk to public safety if the offender were to be 2312  
released from incarceration. 2313

(b) A court shall not grant a judicial release under this 2314  
section to an offender who is imprisoned for a felony of the 2315  
first or second degree and is under consideration for judicial 2316  
release as a state of emergency-qualifying offender unless the 2317  
court, with reference to the factors specified under section 2318  
2929.12 of the Revised Code, finds both of the criteria set 2319  
forth in divisions (J) (1) (a) and (b) of this section. 2320

(K) If the court grants a motion for judicial release 2321  
under this section, the court shall order the release of the 2322  
eligible offender or state of emergency-qualifying offender, 2323  
shall place the offender under an appropriate community control 2324  
sanction, under appropriate conditions, and under the 2325

supervision of the department of probation serving the court and 2326  
shall reserve the right to reimpose the sentence that it reduced 2327  
if the offender violates the sanction. If the court reimposes 2328  
the reduced sentence, it may do so either concurrently with, or 2329  
consecutive to, any new sentence imposed on the eligible 2330  
offender or state of emergency-qualifying offender as a result 2331  
of the violation that is a new offense. Except as provided in 2332  
division (N) (5) (b) of this section, the period of community 2333  
control shall be no longer than five years. The court, in its 2334  
discretion, may reduce the period of community control by the 2335  
amount of time the offender spent in jail or prison for the 2336  
offense and in prison. If the court made any findings pursuant 2337  
to division (J) (1) of this section, the court shall serve a copy 2338  
of the findings upon counsel for the parties within fifteen days 2339  
after the date on which the court grants the motion for judicial 2340  
release. 2341

If the court grants a motion for judicial release, the 2342  
court shall notify the appropriate person at the department of 2343  
rehabilitation and correction, and the department shall post 2344  
notice of the release on the database it maintains pursuant to 2345  
section 5120.66 of the Revised Code. The court also shall notify 2346  
the prosecuting attorney of the county in which the eligible 2347  
offender or state of emergency-qualifying offender was indicted 2348  
that the motion has been granted. When notice to the victim is 2349  
required under the Ohio Constitution, the prosecuting attorney 2350  
shall notify the victim and the victim's representative, if 2351  
applicable, of the judicial release. In all other cases, unless 2352  
the victim or the victim's representative has requested pursuant 2353  
to division (B) (2) of section 2930.03 of the Revised Code that 2354  
the victim or victim's representative not be provided the 2355  
notice, the prosecuting attorney shall notify the victim and the 2356

victim's representative, if applicable, of the judicial release 2357  
in any manner, and in accordance with the same procedures, 2358  
pursuant to which the prosecuting attorney is authorized to 2359  
provide notice of the hearing pursuant to division (E) (2) of 2360  
this section. If the notice is based on an offense committed 2361  
prior to March 22, 2013, the notice to the victim or victim's 2362  
representative also shall include the opt-out information 2363  
described in division (D) (1) of section 2930.16 of the Revised 2364  
Code. 2365

(L) In addition to and independent of the right of a 2366  
victim to make a statement pursuant to section 2930.14, 2930.17, 2367  
or 2946.051 of the Revised Code and any right of a person to 2368  
present written information or make a statement pursuant to 2369  
division (I) of this section, any person may submit to the 2370  
court, at any time prior to the hearing on the motion for 2371  
judicial release of the eligible offender or state of emergency- 2372  
qualifying offender, a written statement concerning the effects 2373  
of the offender's criminal offense, the circumstances 2374  
surrounding the criminal offense, the manner in which the 2375  
criminal offense was perpetrated, and the person's opinion as to 2376  
whether the offender should be released. 2377

(M) (1) The changes to this section that are made on 2378  
September 30, 2011, apply to any judicial release decision made 2379  
on or after September 30, 2011, for any eligible offender, 2380  
subject to division (M) (2) of this section. 2381

(2) The changes to this section that are made on April 4, 2382  
2023, apply to any judicial release application, and any 2383  
judicial release decision, made on or after April 4, 2023, for 2384  
any eligible offender or state of emergency-qualifying offender. 2385

(N) (1) Notwithstanding the eligibility requirements 2386

specified in divisions (A) (1) and (2) of this section and the 2387  
filing time frames specified in division (C) of this section and 2388  
notwithstanding the findings required under division (J) (1) and 2389  
the eligibility criteria specified in division (J) (3) of this 2390  
section, the sentencing court, upon the court's own motion and 2391  
after considering whether the release of the offender into 2392  
society would create undue risk to public safety, may grant a 2393  
judicial release to an offender who is not serving a life 2394  
sentence at any time during the offender's imposed sentence when 2395  
the director of rehabilitation and correction certifies to the 2396  
sentencing court through the chief medical officer for the 2397  
department of rehabilitation and correction that the offender is 2398  
in imminent danger of death, is medically incapacitated, or has 2399  
a terminal illness. 2400

(2) The director of rehabilitation and correction shall 2401  
not certify any offender under division (N) (1) of this section 2402  
who is serving a death sentence. 2403

(3) A motion made by the court under division (N) (1) of 2404  
this section is subject to the notice, hearing, and other 2405  
procedural requirements specified in divisions (D), (E), (G), 2406  
(H), (I), (K), and (L) of this section with respect to motions 2407  
for a grant of judicial release to eligible offenders, including 2408  
notice to the victim, except for the following: 2409

(a) The court may waive the offender's appearance at any 2410  
hearing scheduled by the court if the offender's condition makes 2411  
it impossible for the offender to participate meaningfully in 2412  
the proceeding. 2413

(b) The court may grant the motion without a hearing, 2414  
provided that the prosecuting attorney, victim, and victim's 2415  
representative, if applicable, to whom notice of the hearing was 2416

provided under division (E) of this section indicate that they 2417  
do not wish to participate in the hearing or present information 2418  
relevant to the motion. 2419

(4) The court may request health care records from the 2420  
department of rehabilitation and correction to verify the 2421  
certification made under division (N)(1) of this section. 2422

(5) (a) If the court grants judicial release under division 2423  
(N)(1) of this section, the court shall do all of the following: 2424

(i) Order the release of the offender; 2425

(ii) Place the offender under an appropriate community 2426  
control sanction, under appropriate conditions; 2427

(iii) Place the offender under the supervision of the 2428  
department of probation serving the court or under the 2429  
supervision of the adult parole authority. 2430

(b) The court, in its discretion, may revoke the judicial 2431  
release if the offender violates the community control sanction 2432  
described in division (N)(5)(a) of this section. The period of 2433  
that community control is not subject to the five-year 2434  
limitation described in division (K) of this section and shall 2435  
not expire earlier than the date on which all of the offender's 2436  
mandatory prison terms expire. 2437

(6) If the health of an offender who is released under 2438  
division (N)(1) of this section improves so that the offender is 2439  
no longer terminally ill, medically incapacitated, or in 2440  
imminent danger of death, the court shall, upon the court's own 2441  
motion, revoke the judicial release. The court shall not grant 2442  
the motion without a hearing unless the offender waives a 2443  
hearing. If a hearing is held, the court shall afford the 2444  
offender and the offender's attorney an opportunity to present 2445

written and, if the offender or the offender's attorney is 2446  
present, oral information relevant to the motion. The court 2447  
shall afford a similar opportunity to the prosecuting attorney, 2448  
the victim, the victim's representative, the victim's attorney, 2449  
if applicable, and any other person the court determines is 2450  
likely to present additional relevant information. If a hearing 2451  
is held, the prosecuting attorney shall notify the victim and 2452  
the victim's representative, if applicable, pursuant to the Ohio 2453  
Constitution. A court that grants a motion under this division 2454  
shall specify its findings on the record. 2455

(O) (1) Separate from and independent of the provisions of 2456  
divisions (A) to (N) of this section, the director of the 2457  
department of rehabilitation and correction may recommend in 2458  
writing to the sentencing court that the court consider 2459  
releasing from prison, through a judicial release, any offender 2460  
who is confined in a state correctional institution and who is 2461  
an eighty per cent-qualifying offender. The director may file 2462  
such a recommendation for judicial release by submitting to the 2463  
sentencing court a notice, in writing, of the recommendation 2464  
within the applicable period specified in division (A) (3) of 2465  
this section for qualifying as an eighty per cent-qualifying 2466  
offender. 2467

The director shall include with any notice submitted to 2468  
the sentencing court under this division an institutional 2469  
summary report that covers the offender's participation while 2470  
confined in a state correctional institution in school, 2471  
training, work, treatment, and other rehabilitative activities 2472  
and any disciplinary action taken against the offender while so 2473  
confined. The director shall include with the notice any other 2474  
documentation requested by the court, if available. 2475

If the director submits a notice under this division 2476  
recommending judicial release, the department promptly shall 2477  
provide to the prosecuting attorney of the county in which the 2478  
offender was indicted a copy of the written notice and 2479  
recommendation, a copy of the institutional summary report, and 2480  
any other information provided to the court, and shall provide a 2481  
copy of the institutional summary report to any law enforcement 2482  
agency that requests the report. The department also shall 2483  
provide written notice of the submission of the director's 2484  
notice to any victim of the offender or victim's representative, 2485  
if applicable, in the same manner as is specified in divisions 2486  
(E) (1) and (2) of this section with respect to notices of 2487  
hearings. 2488

(2) A recommendation for judicial release in a notice 2489  
submitted by the director under division (O) (1) of this section 2490  
is subject to the notice, hearing, and other procedural 2491  
requirements specified in divisions (E), (H), (I), and (L) of 2492  
this section, including notice to the victim pursuant to the 2493  
Ohio Constitution, except as otherwise specified in divisions 2494  
(O) (3) to (5) of this section, provided that references in 2495  
divisions (E), (H), (I), (K), and (L) of this section to "the 2496  
motion" shall be construed for purposes of division (O) of this 2497  
section as being references to the notice and recommendation 2498  
specified in division (O) (1) of this section. 2499

(3) The director's submission of a notice under division 2500  
(O) (1) of this section constitutes a recommendation by the 2501  
director that the court strongly consider a judicial release of 2502  
the offender consistent with the purposes and principles of 2503  
sentencing set forth in sections 2929.11 and 2929.13 of the 2504  
Revised Code and establishes a rebuttable presumption that the 2505  
offender shall be released through a judicial release in 2506

accordance with the recommendation. The presumption of release 2507  
may be rebutted only as described in division (O)(6) of this 2508  
section. Only an offender recommended by the director under 2509  
division (O)(1) of this section may be considered for a judicial 2510  
release under division (O) of this section. 2511

(4) Upon receipt of a notice recommending judicial release 2512  
submitted by the director under division (O)(1) of this section, 2513  
the court shall schedule a hearing to consider the 2514  
recommendation for the judicial release of the offender who is 2515  
the subject of the notice. The hearing shall be conducted in 2516  
open court not less than thirty or more than sixty days after 2517  
the notice is submitted. The court shall inform the department 2518  
and the prosecuting attorney of the county in which the offender 2519  
who is the subject of the notice was indicted of the date, time, 2520  
and location of the hearing. Upon receipt of the notice from the 2521  
court, the prosecuting attorney shall comply with division (E) 2522  
of this section, including providing notice to the victim and 2523  
the victim's representative, if applicable, pursuant to the Ohio 2524  
Constitution, and the department shall post the information 2525  
specified in that division. 2526

(5) When a court schedules a hearing under division (O)(4) 2527  
of this section, at the hearing, the court shall consider all of 2528  
the following in determining whether to grant the offender 2529  
judicial release under division (O) of this section: 2530

(a) The institutional summary report submitted under 2531  
division (O)(1) of this section; 2532

(b) The inmate's academic, vocational education programs, 2533  
or alcohol or drug treatment programs; or involvement in 2534  
meaningful activity; 2535

(c) The inmate's assignments and whether the inmate 2536  
consistently performed each work assignment to the satisfaction 2537  
of the department staff responsible for supervising the inmate's 2538  
work; 2539

(d) The inmate transferred to and actively participated in 2540  
core curriculum programming at a reintegration center prison; 2541

(e) The inmate's disciplinary history; 2542

(f) The inmate's security level; 2543

(g) All other information, statements, reports, and 2544  
documentation described in division (I) of this section. 2545

(6) If the court that receives a notice recommending 2546  
judicial release submitted by the director under division (O) (1) 2547  
of this section makes an initial determination that the offender 2548  
satisfies the criteria for being an eighty per cent-qualifying 2549  
offender, the court then shall determine whether to grant the 2550  
offender judicial release. In making the second determination, 2551  
the court shall grant the offender judicial release unless the 2552  
prosecuting attorney proves to the court, by a preponderance of 2553  
the evidence, that the legitimate interests of the government in 2554  
maintaining the offender's confinement outweigh the interests of 2555  
the offender in being released from that confinement. If the 2556  
court grants a judicial release under this division, division 2557  
(K) of this section applies regarding the judicial release, 2558  
including notice to the victim and the victim's representative, 2559  
if applicable, pursuant to the Ohio Constitution, provided that 2560  
references in division (K) of this section to "the motion" shall 2561  
be construed for purposes of the judicial release granted under 2562  
this division as being references to the notice and 2563  
recommendation specified in division (O) (1) of this section. 2564

The court shall enter its ruling on the notice 2565  
recommending judicial release submitted by the director under 2566  
division (O) (1) of this section within ten days after the 2567  
hearing is conducted. After ruling on whether to grant the 2568  
offender judicial release under division (O) of this section, 2569  
the court shall notify the offender, the prosecuting attorney, 2570  
and the department of rehabilitation and correction of its 2571  
decision, and shall notify the victim of its decision in 2572  
accordance with the Ohio Constitution and sections 2930.03 and 2573  
2930.16 of the Revised Code. If the court does not enter a 2574  
ruling on the notice within ten days after the hearing is 2575  
conducted as required under this division, the division of 2576  
parole and community services of the department of 2577  
rehabilitation and correction may release the offender. 2578

(P) All notices to a victim of an offense provided under 2579  
division (D), (E), (K), (N), or (O) of this section shall be 2580  
provided in accordance with the Ohio Constitution. 2581

**Sec. 2967.26.** (A) (1) The department of rehabilitation and 2582  
correction, by rule, may establish a transitional control 2583  
program for the purpose of closely monitoring a prisoner's 2584  
adjustment to community supervision during the final one hundred 2585  
eighty days of the prisoner's confinement. If the department 2586  
establishes a transitional control program under this division, 2587  
the division of parole and community services of the department 2588  
of rehabilitation and correction may transfer eligible prisoners 2589  
to transitional control status under the program during the 2590  
final one hundred eighty days of their confinement and under the 2591  
terms and conditions established by the department, shall 2592  
provide for the confinement as provided in this division of each 2593  
eligible prisoner so transferred, and shall supervise each 2594  
eligible prisoner so transferred in one or more community 2595

control sanctions. Each eligible prisoner who is transferred to 2596  
transitional control status under the program shall be confined 2597  
in a suitable facility that is licensed pursuant to division (C) 2598  
of section 2967.14 of the Revised Code, or shall be confined in 2599  
a residence the department has approved for this purpose and be 2600  
monitored pursuant to an electronic monitoring device, as 2601  
defined in section 2929.01 of the Revised Code. If the 2602  
department establishes a transitional control program under this 2603  
division, the rules establishing the program shall include 2604  
criteria that define which prisoners are eligible for the 2605  
program, criteria that must be satisfied to be approved as a 2606  
residence that may be used for confinement under the program of 2607  
a prisoner that is transferred to it and procedures for the 2608  
department to approve residences that satisfy those criteria, 2609  
and provisions of the type described in division (C) of this 2610  
section. At a minimum, the criteria that define which prisoners 2611  
are eligible for the program shall provide all of the following: 2612

(a) That a prisoner is eligible for the program if the 2613  
prisoner is serving a prison term or term of imprisonment for an 2614  
offense committed prior to March 17, 1998, and if, at the time 2615  
at which eligibility is being determined, the prisoner would 2616  
have been eligible for a furlough under this section as it 2617  
existed immediately prior to March 17, 1998, or would have been 2618  
eligible for conditional release under former section 2967.23 of 2619  
the Revised Code as that section existed immediately prior to 2620  
March 17, 1998; 2621

(b) That no prisoner who is serving a mandatory prison 2622  
term is eligible for the program until after expiration of the 2623  
mandatory term; 2624

(c) That no prisoner who is serving a prison term or term 2625

of life imprisonment without parole imposed pursuant to section 2626  
2971.03 of the Revised Code is eligible for the program. 2627

(2) At least sixty days prior to transferring to 2628  
transitional control under this section a prisoner who is 2629  
serving a definite term of imprisonment or definite prison term 2630  
of less than one year for an offense committed on or after July 2631  
1, 1996, or who is serving a minimum term of less than one year 2632  
under a non-life felony indefinite prison term, on or after 2633  
April 4, 2023, the division of parole and community services of 2634  
the department of rehabilitation and correction shall give 2635  
notice of the pendency of the transfer to transitional control 2636  
to the court of common pleas of the county in which the 2637  
indictment against the prisoner was found and of the fact that 2638  
the court may disapprove the transfer of the prisoner to 2639  
transitional control and shall include the institutional summary 2640  
report prepared by the head of the state correctional 2641  
institution in which the prisoner is confined. The head of the 2642  
state correctional institution in which the prisoner is 2643  
confined, upon the request of the division of parole and 2644  
community services, shall provide to the division for inclusion 2645  
in the notice sent to the court under this division an 2646  
institutional summary report on the prisoner's conduct in the 2647  
institution and in any institution from which the prisoner may 2648  
have been transferred. The institutional summary report shall 2649  
cover the prisoner's participation in school, vocational 2650  
training, work, treatment, and other rehabilitative activities 2651  
and any disciplinary action taken against the prisoner. If the 2652  
court disapproves of the transfer of the prisoner to 2653  
transitional control, the court shall notify the division of the 2654  
disapproval within thirty days after receipt of the notice. If 2655  
the court timely disapproves the transfer of the prisoner to 2656

transitional control, the division shall not proceed with the 2657  
transfer. If the court does not timely disapprove the transfer 2658  
of the prisoner to transitional control, the division may 2659  
transfer the prisoner to transitional control. 2660

(3) (a) If the victim of an offense for which a prisoner 2661  
was sentenced to a prison term or term of imprisonment has 2662  
requested notification under section 2930.16 of the Revised Code 2663  
and has provided the department of rehabilitation and correction 2664  
with the victim's name and address or if division (A) (3) (b) of 2665  
this section applies, the division of parole and community 2666  
services, at least sixty days prior to transferring the prisoner 2667  
to transitional control pursuant to this section, shall notify 2668  
the victim and the victim's representative, if applicable, of 2669  
the pendency of the transfer and of the victim's and victim's 2670  
representative's right to submit a statement to the division 2671  
regarding the impact of the transfer of the prisoner to 2672  
transitional control. If the victim or victim's representative's 2673  
subsequently submits a statement of that nature to the division, 2674  
the division shall consider the statement in deciding whether to 2675  
transfer the prisoner to transitional control. 2676

(b) If a prisoner is incarcerated for the commission of 2677  
aggravated murder, murder, or an offense of violence that is a 2678  
felony of the first, second, or third degree or under a sentence 2679  
of life imprisonment, except as otherwise provided in this 2680  
division, the notice described in division (A) (3) (a) of this 2681  
section shall be given regardless of whether the victim has 2682  
requested the notification. The notice described in division (A) 2683  
(3) (a) of this section shall not be given under this division to 2684  
a victim if the victim has requested pursuant to division (B) (2) 2685  
of section 2930.03 of the Revised Code that the victim not be 2686  
provided the notice. If notice is to be provided to a victim 2687

under this division, the authority may give the notice by any 2688  
reasonable means, including regular mail, telephone, and 2689  
electronic mail, in accordance with division (D) (1) of section 2690  
2930.16 of the Revised Code. If the notice is based on an 2691  
offense committed prior to March 22, 2013, the notice also shall 2692  
include the opt-out information described in division (D) (1) of 2693  
section 2930.16 of the Revised Code. The authority, in 2694  
accordance with division (D) (2) of section 2930.16 of the 2695  
Revised Code, shall keep a record of all attempts to provide the 2696  
notice, and of all notices provided, under this division. 2697

Division (A) (3) (b) of this section, and the notice-related 2698  
provisions of divisions (E) (2) and (K) of section 2929.20, 2699  
division (D) (1) of section 2930.16, division (H) of section 2700  
2967.12, division (E) (1) (b) of section 2967.19 as it existed 2701  
prior to April 4, 2023, division (D) (1) of section 2967.28, and 2702  
division (A) (2) of section 5149.101 of the Revised Code enacted 2703  
in the act in which division (A) (3) (b) of this section was 2704  
enacted, shall be known as "Roberta's Law." 2705

(4) The department of rehabilitation and correction, at 2706  
least sixty days prior to transferring a prisoner to 2707  
transitional control pursuant to this section, shall post on the 2708  
database it maintains pursuant to section 5120.66 of the Revised 2709  
Code the prisoner's name and all of the information specified in 2710  
division (A) (1) (c) (iv) of that section. In addition to and 2711  
independent of the right of a victim to submit a statement as 2712  
described in division (A) (3) of this section or to otherwise 2713  
make a statement and in addition to and independent of any other 2714  
right or duty of a person to present information or make a 2715  
statement, any person may send to the division of parole and 2716  
community services at any time prior to the division's transfer 2717  
of the prisoner to transitional control a written statement 2718

regarding the transfer of the prisoner to transitional control. 2719  
In addition to the information, reports, and statements it 2720  
considers under divisions (A) (2) and (3) of this section or that 2721  
it otherwise considers, the division shall consider each 2722  
statement submitted in accordance with this division in deciding 2723  
whether to transfer the prisoner to transitional control. 2724

(B) Each prisoner transferred to transitional control 2725  
under this section shall be confined in the manner described in 2726  
division (A) of this section during any period of time that the 2727  
prisoner is not actually working at the prisoner's approved 2728  
employment, engaged in a vocational training or another 2729  
educational program, engaged in another program designated by 2730  
the director, or engaged in other activities approved by the 2731  
department. 2732

(C) The department of rehabilitation and correction shall 2733  
adopt rules for transferring eligible prisoners to transitional 2734  
control, supervising and confining prisoners so transferred, 2735  
administering the transitional control program in accordance 2736  
with this section, and using the moneys deposited into the 2737  
transitional control fund established under division (E) of this 2738  
section. 2739

(D) The department of rehabilitation and correction may 2740  
adopt rules for the issuance of passes for the limited purposes 2741  
described in this division to prisoners who are transferred to 2742  
transitional control under this section. If the department 2743  
adopts rules of that nature, the rules shall govern the granting 2744  
of the passes and shall provide for the supervision of prisoners 2745  
who are temporarily released pursuant to one of those passes. 2746  
Upon the adoption of rules under this division, the department 2747  
may issue passes to prisoners who are transferred to 2748

transitional control status under this section in accordance 2749  
with the rules and the provisions of this division. All passes 2750  
issued under this division shall be for a maximum of forty-eight 2751  
hours and may be issued only for the following purposes: 2752

(1) To visit a relative in imminent danger of death; 2753

(2) To have a private viewing of the body of a deceased 2754  
relative; 2755

(3) To visit with family; 2756

(4) To otherwise aid in the rehabilitation of the 2757  
prisoner. 2758

(E) The division of parole and community services may 2759  
require a prisoner who is transferred to transitional control to 2760  
pay to the division the reasonable expenses incurred by the 2761  
division in supervising or confining the prisoner while under 2762  
transitional control. Inability to pay those reasonable expenses 2763  
shall not be grounds for refusing to transfer an otherwise 2764  
eligible prisoner to transitional control. Amounts received by 2765  
the division of parole and community services under this 2766  
division shall be deposited into the transitional control fund, 2767  
which is hereby created in the state treasury and which hereby 2768  
replaces and succeeds the furlough services fund that formerly 2769  
existed in the state treasury. All moneys that remain in the 2770  
furlough services fund on March 17, 1998, shall be transferred 2771  
on that date to the transitional control fund. The transitional 2772  
control fund shall be used solely to pay costs related to the 2773  
operation of the transitional control program established under 2774  
this section. The director of rehabilitation and correction 2775  
shall adopt rules in accordance with section 111.15 of the 2776  
Revised Code for the use of the fund. 2777

(F) A prisoner who violates any rule established by the  
department of rehabilitation and correction under division (A),  
(C), or (D) of this section may be transferred to a state  
correctional institution pursuant to rules adopted under  
division (A), (C), or (D) of this section, but the prisoner  
shall receive credit towards completing the prisoner's sentence  
for the time spent under transitional control.

If a prisoner is transferred to transitional control under  
this section, upon successful completion of the period of  
transitional control, the prisoner may be released on parole or  
under post-release control pursuant to section 2967.13 or  
2967.28 of the Revised Code and rules adopted by the department  
of rehabilitation and correction. If the prisoner is released  
under post-release control, the duration of the post-release  
control, the type of post-release control sanctions that may be  
imposed, the enforcement of the sanctions, and the treatment of  
prisoners who violate any sanction applicable to the prisoner  
are governed by section 2967.28 of the Revised Code.

Sec. 3109.055. (A) If a child is born to an unmarried  
woman and the father of the child has acknowledged the child and  
that acknowledgment has become final pursuant to section  
2151.232, 3111.25, or 3111.821 of the Revised Code or has been  
determined in an action under Chapter 3111. of the Revised Code  
to be the father of the child, the court, upon its own motion or  
the motion of one of the parties, may order the parents to  
undergo conciliation with a magistrate in order to resolve any  
disputes regarding the allocation of parental rights and  
responsibilities between the parents in a case pending before  
the court. An order requiring conciliation shall set forth the  
the name of the magistrate who will serve as the conciliator and  
the manner in which the costs of any conciliation procedures are

to be paid. 2809

(B) A magistrate who serves as a conciliator shall use 2810  
conciliation procedures to resolve a dispute regarding the 2811  
allocation of parental rights and responsibilities and, upon 2812  
resolution of the dispute, issue an order regarding the 2813  
allocation of parental rights and responsibilities, parenting 2814  
time, or companionship or visitation pursuant to section 2815  
2151.23, 3109.04, or 3109.12 of the Revised Code. The 2816  
conciliation procedures may include without limitation the use 2817  
of family counselors and service agencies, community health 2818  
services, physicians, licensed psychologists, or clergy. If the 2819  
magistrate orders the parties to undergo family counseling, the 2820  
magistrate shall name the counselor and set forth the required 2821  
type of counseling, the length of time for the counseling, and 2822  
any other specific conditions. No order regarding the allocation 2823  
of parental rights and responsibilities, parenting time, or 2824  
companionship or visitation shall be issued until the 2825  
conciliation has concluded and been reported to the magistrate. 2826

**Section 2.** That existing sections 181.21, 345.13, 517.23, 2827  
1701.86, 1702.27, 1702.30, 1702.33, 1702.38, 1702.521, 1702.53, 2828  
1702.55, 1745.05, 1901.02, 1907.11, 2505.02, 2929.20, and 2829  
2967.26 of the Revised Code are hereby repealed. 2830

**Section 3.** That sections 135.032 and 135.321 of the 2831  
Revised Code are hereby repealed. 2832

**Section 4.** (A) All cases arising in the municipal 2833  
corporation of North Kingsville in Ashtabula County that are 2834  
pending in the Eastern County Court in Ashtabula County on 2835  
January 1, 2025, shall be adjudicated by the Ashtabula County 2836  
County Court. All cases arising in the municipal corporation of 2837  
North Kingsville in Ashtabula County on or after January 1, 2838

2025, shall be brought before the Conneaut Municipal Court. 2839

(B) All cases arising in Kingsville, Monroe, and Sheffield 2840  
Townships in Ashtabula County that are pending in the Eastern 2841  
County Court in Ashtabula County on January 1, 2025, shall be 2842  
adjudicated by the Ashtabula County County Court. All cases 2843  
arising in Kingsville, Monroe, and Sheffield Townships in 2844  
Ashtabula County on or after January 1, 2025, shall be brought 2845  
before the Conneaut Municipal Court. 2846