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H.B. 261
133rd General Assembly

Bill Analysis

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Version: As Reported by House Civil Justice

Primary Sponsor: Rep. Brown

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SUMMARY

- Specifies that the domestic relations judge of the Franklin County Court of Common Pleas to be elected in 2020, will take office on January 3, 2021, instead of January 2, 2021.
- Removes the municipal corporation of Trenton from the jurisdiction of the Middletown and Hamilton municipal courts.

DETAILED ANALYSIS

Franklin County Court of Common Pleas Domestic Relations judgeship

Under current law, the Franklin County Court of Common Pleas has 24 judges. The 24th judge is to be elected in 2020, term to begin January 2, 2021.¹ That judge is to be elected and designated as one of the judges of the Division of Domestic Relations of the Franklin County Court of Common Pleas.²

The bill changes the commencement of the term of the above domestic relations judge of the Franklin County Court of Common Pleas, to be elected in 2020, from January 2, 2021, to January 3, 2021. That judgeship was created by Am. H.B. 174 of the 132nd General Assembly, effective December 22, 2017. The commencement of the term of that judge under H.B. 174, which is January 2, 2021, would be the same as the commencement of the term of the judge first elected in 1996, and to be elected again in 2020, term to begin January 2, 2021. To avoid having two judgeships with the same term commencement date, the bill resolves that conflict

¹ R.C. 2301.02(C).

² R.C. 2301.03(A).

by changing the commencement of the term of the domestic relations judgeship created by H.B. 174 from January 2, 2021, to January 3, 2021.³

Middletown and Hamilton municipal courts – remove Trenton

Generally, under current law, municipal courts have jurisdiction within the corporate limits of their respective municipal corporations.⁴ In addition to that jurisdiction, municipal courts also have jurisdiction over other territory as described in current law.⁵

Current law provides that the Middletown Municipal Court has jurisdiction within Madison township, and within all of Lemon township, except within the municipal corporation of Monroe, in Butler County. The Trenton municipal corporation, being within Madison township, is within the jurisdiction of the Middletown Municipal Court. The bill removes the Trenton municipal corporation from the jurisdiction of the Middletown Municipal Court.⁶

Current law provides that the Hamilton Municipal Court has jurisdiction within Ross and St. Clair townships in Butler County. The bill removes the municipal corporation of Trenton from the jurisdiction of the Hamilton Municipal Court.⁷

HISTORY

Action	Date
Introduced	05-23-19
Reported, H. Civil Justice	06-19-19

H0261-RH-133/ec

³ R.C. 2301.02(C) and 2301.03(A). Note that the commencement date is used to determine which judgeship an individual is pursuing and thus, having two judgeships with the same commencement date would tend to complicate the petition process.

⁴ R.C. 1901.02(A).

⁵ R.C. 1901.02(B).

⁶ R.C. 1901.02(B).

⁷ R.C. 1901.02(B). Note: Under R.C. 1907.01 (County Court Law), not in the bill, a county court has jurisdiction throughout a county court district that consists of all territory within the county not subject to the territorial jurisdiction of any municipal court. Trenton municipal corporation is within Butler County.