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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
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Office

S.B. 103  
133<sup>rd</sup> General Assembly

## Bill Analysis

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**Version:** As Passed by the Senate

**Primary Sponsors:** Sens. Dolan and Yuko

Lisa Sandberg, Attorney

### SUMMARY

- Grants the housing division of the Cleveland Municipal Court concurrent jurisdiction with the Cuyahoga County Court of Common Pleas in criminal cases related to environmental pollution and additional jurisdiction over appeals of local administrative decisions relating to building, health, and safety codes.
- Specifies that the housing division's jurisdiction in cases relating to building, health, and safety codes is the same as in appeals of local administrative orders in the Cuyahoga County Court of Common Pleas.

### DETAILED ANALYSIS

#### Cleveland Municipal Court—jurisdiction of housing division

The Cleveland Municipal Court includes a housing division that has exclusive jurisdiction within the territory of the court in several types of actions, including any criminal action for a violation of any local building, housing, air pollution, sanitation, health, fire, zoning, or safety code, ordinance, or regulation applicable to premises used or intended for use as a place of human habitation, buildings, structures, or any other real property subject to that code, ordinance, or regulation.<sup>1</sup> The bill grants the housing division concurrent jurisdiction with the common pleas court in all criminal actions or proceedings related to the pollution of the air, ground, or water within the territory of the Cleveland Municipal Court, for which a sentence of death cannot be imposed.<sup>2</sup>

<sup>1</sup> R.C. 1901.011, not in the bill, and 1901.181(A)(1).

<sup>2</sup> R.C. 1901.181(C).

The bill also grants the Cleveland Municipal Court’s housing division jurisdiction over any review or appeal of a final order from an administrative body or officer that relates to a local building, housing, air pollution, sanitation, health, fire, zoning, or safety code, ordinance, or regulation.<sup>3</sup>

The bill specifies that the housing division’s jurisdiction has the same scope as in similar appeals in the court of common pleas. The bill does not grant the housing division exclusive jurisdiction, so appeals could be heard in either the housing division of the municipal court or in the Cuyahoga County Court of Common Pleas.<sup>4</sup>

Under current law, appeals from a final decision of a local administrative body are heard by the court of common pleas. However, an environmental division of a municipal court may hear the same types of appeals as described in the bill; currently, the only court in Ohio with an environmental division is the Franklin County Municipal Court.<sup>5</sup>

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## HISTORY

Action	Date
Introduced	03-12-19
Reported, S. Judiciary	11-06-19
Passed Senate (31-0)	12-11-19

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<sup>3</sup> R.C. 1901.181(C).

<sup>4</sup> *Id.*

<sup>5</sup> See R.C. 1901.011, 1901.183, and 2506.01, not in the bill.