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# OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 613  
134<sup>th</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsor:** Rep. Ginter

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### SUMMARY

- Abolishes the East Liverpool Municipal Court, which has jurisdiction in East Liverpool and Liverpool and St. Clair townships in Columbiana County and in certain portions of the Ohio River, and abolishes its sole judgeship, to take effect on the bill's effective date.
- Removes the exception of East Liverpool and Liverpool and St. Claire townships from the current territorial jurisdiction of the Columbiana County Municipal Court, resulting in the Columbiana County Municipal Court having jurisdiction within Columbiana County.
- Specifies transition provisions, including the transfer of all causes, judgments, executions, and proceedings pending in the East Liverpool Municipal Court on the bill's effective date, to the Columbiana County Municipal Court.

### DETAILED ANALYSIS

#### East Liverpool Municipal Court

##### Current law

Under the current Municipal Courts Law, a municipal court is established in the municipal corporation of East Liverpool, which is in Columbiana County. The East Liverpool Municipal Court has jurisdiction within East Liverpool and Liverpool and St. Clair townships, located in Columbiana County.<sup>1</sup>

The East Liverpool Municipal Court also has jurisdiction beyond the north or northwest shore of the Ohio river extending to the opposite shore line, between the extended boundary lines of any adjacent municipal or county courts. The East Liverpool Municipal Court has

<sup>1</sup> R.C. 1901.01(A) and 1901.02(B).

concurrent jurisdiction on the Ohio River with any adjacent municipal or county courts that border on that river and with any court of Kentucky or of West Virginia that borders on the Ohio River and has jurisdiction on the Ohio River under the law of Kentucky or of West Virginia, whichever is applicable, or under federal law.<sup>2</sup>

The East Liverpool Municipal Court has one full-time judgeship originally elected in 1953.<sup>3</sup> The current judge was elected in 2019.

### **The bill**

The bill abolishes the East Liverpool Municipal Court, its territorial jurisdiction as described above, and its full-time judgeship.<sup>4</sup> It provides that the East Liverpool Municipal Court continues in operation until the bill's effective date, at which time that court will cease operations and its existence will terminate.<sup>5</sup>

### **Columbiana County Municipal Court**

Under current law, a municipal court is established within Columbiana County in Lisbon or in any other municipal corporation or unincorporated territory within Columbiana County, except East Liverpool or Liverpool or St. Clair township, that is selected by the judges of the Columbiana County Municipal Court as a central location within the court's territorial jurisdiction pursuant to the provision allowing each judge of the court to sit within a specified municipal corporation until the judges jointly select a central location, at which time the judges must sit at that location.<sup>6</sup> The bill eliminates the above exception for East Liverpool or Liverpool or St. Clair township.<sup>7</sup>

### **Territorial jurisdiction**

Current law provides that the Columbiana County Municipal Court has jurisdiction within all of Columbiana County except within East Liverpool and Liverpool and St. Clair townships.<sup>8</sup> Due to the bill's abolition of the East Liverpool Municipal Court, the bill removes the exception of East Liverpool and Liverpool and St. Clair townships, and provides that the Columbiana County Municipal Court has jurisdiction within Columbiana County.<sup>9</sup> The bill also

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<sup>2</sup> R.C. 1901.027

<sup>3</sup> R.C. 1901.08.

<sup>4</sup> R.C. 1901.01(A), 1901.02(B), 1901.027, and 1901.08.

<sup>5</sup> Section 3.

<sup>6</sup> R.C. 1901.01(C) and by reference to R.C. 1901.021(I), not in the bill.

<sup>7</sup> R.C. 1901.01(C).

<sup>8</sup> R.C. 1901.02(B).

<sup>9</sup> R.C. 1901.02(B).

removes the existing provision that the Columbiana County Municipal Court has jurisdiction within the municipal corporation or unincorporated territory in which it is established.<sup>10</sup>

### **Transition provisions**

The bill requires that all causes, executions, and other proceedings pending in the East Liverpool Municipal Court on its effective date be transferred to and proceed in the Columbiana County Municipal Court on that effective date, as if originally instituted in the Columbiana County Municipal Court. The Clerk of the East Liverpool Municipal Court or other custodian must transfer to the Columbiana County Municipal Court all pleadings, orders, entries, dockets, bonds, papers, records, books, exhibits, files, moneys, property, and persons that belong to, are in the possession of, or are subject to the jurisdiction of the East Liverpool Municipal Court, or any officer of that court, at the close of business on the bill's effective date, and that pertain to those causes, judgments, executions, and proceedings.<sup>11</sup>

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## **HISTORY**

Action	Date
Introduced	03-31-22

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<sup>10</sup> R.C. 1901.02(A).

<sup>11</sup> Section 4.