

Fines and Penalties: Income Summary

O.R.C. § 307.515:

A. **Municipal Court:** For all fines, penalties, and forfeited bail collected by a municipal court for offenses and misdemeanors brought for prosecution under a municipality's penal ordinances, where there is a state statute under which the offense might be prosecuted, a **minimum of 25% of the total** fines from each court must be deposited in the county's law library fund.

- 1) Where county population is 50,000 or less:
 - a) County law library fund shall not collect more than \$7,500 per year.
 - b) No individual court shall pay more than \$4,000 per year to the county's law library fund.
- 2) Where county population is greater than 50,000 but not more than 100,000:
 - a) County law library fund shall not collect more than \$8,000 per year.
 - b) No individual court shall pay more than \$5,500 per year to the county's law library fund.
- 3) Where county population is greater than 100,000 but not more than 150,000:
 - a) County law library fund shall not collect more than \$10,000 per year.
 - b) No individual court shall pay more than \$7,000 per year to the county's law library fund.
- 4) Where county population is greater than 150,000:
 - a) County law library fund shall not collect more than \$15,000 per year.
 - b) County Auditor shall set the maximum each year for each court on a proportional basis.

Exceptions:

- Compensation for county commissioners, judge, clerk, prosecuting attorney shall be deducted, but percentage is calculated before the deductions.
- Seat Belt violation fees are exempt under O.R.C. § 4513.263(B) (100% goes to state treasurer).
- Liquor and Traffic fines are exempt, see Section D.

B. **County Court:** For all fines, penalties, and forfeited bail collected by a county court, the county treasurer shall deposit **50% of the total** in the county's law library fund.

Exceptions:

- Seat Belt violation fees are exempt under O.R.C. § 4513.263(B) (100% goes to state treasurer).

C. **Common Pleas and Probate:** For all fines, penalties, and forfeited bail collected by a common pleas and probate courts, the respective clerks shall deposit all moneys in the county law library fund, up to a **maximum of \$1,250 per year** (from each court/clerk).

Exceptions:

- Seat Belt violation fees are exempt under O.R.C. § 4513.263(B) (100% goes to state treasurer).

D. County Fees for Liquor Control and State Traffic Laws: For all fines, penalties, and forfeited bail collected by any court in the county relating to state traffic laws and liquor control/permits, the county or municipal treasurer shall deposit 50% of the total into the county law library fund. For fines relating to liquor violations, there is a maximum of \$1,200 per treasurer per year. For state traffic violations there is no maximum.

Exceptions:

-Seat Belt violation fees are exempt under O.R.C. § 4513.263(B), since “state traffic laws” do not include seat belt violations, as specified in O.R.C. § 307.515.

Percentages and Maximums to be paid by Courts

Statute	Court	Type of Violation/Fine	Percentage	Maximum	Authority Responsible for Payment
§ 307.515(A)	Municipal Courts	Prosecutions under municipal ordinances (excluding liquor and traffic)	25% Minimum	Varies: See Chart Below	Clerk of Municipal Court
§ 307.515(B)	County Court	Prosecutions under state statutes	50%	N/A	County Treasurer
§ 307.515(C)	Common Pleas and Probate Court	Prosecutions of misdemeanors under state statute (excluding traffic)	N/A	\$1,250	Clerk of Court (Common Pleas/Probate)
§ 307.515(D)	Any Court	Prosecution for state traffic violation	50%	N/A	Treasurer of County/Municipal Corporation
§ 307.515(D)	Any Court	Prosecution for state liquor violation	50%	\$1,200	Treasurer of County/Municipal Corporation

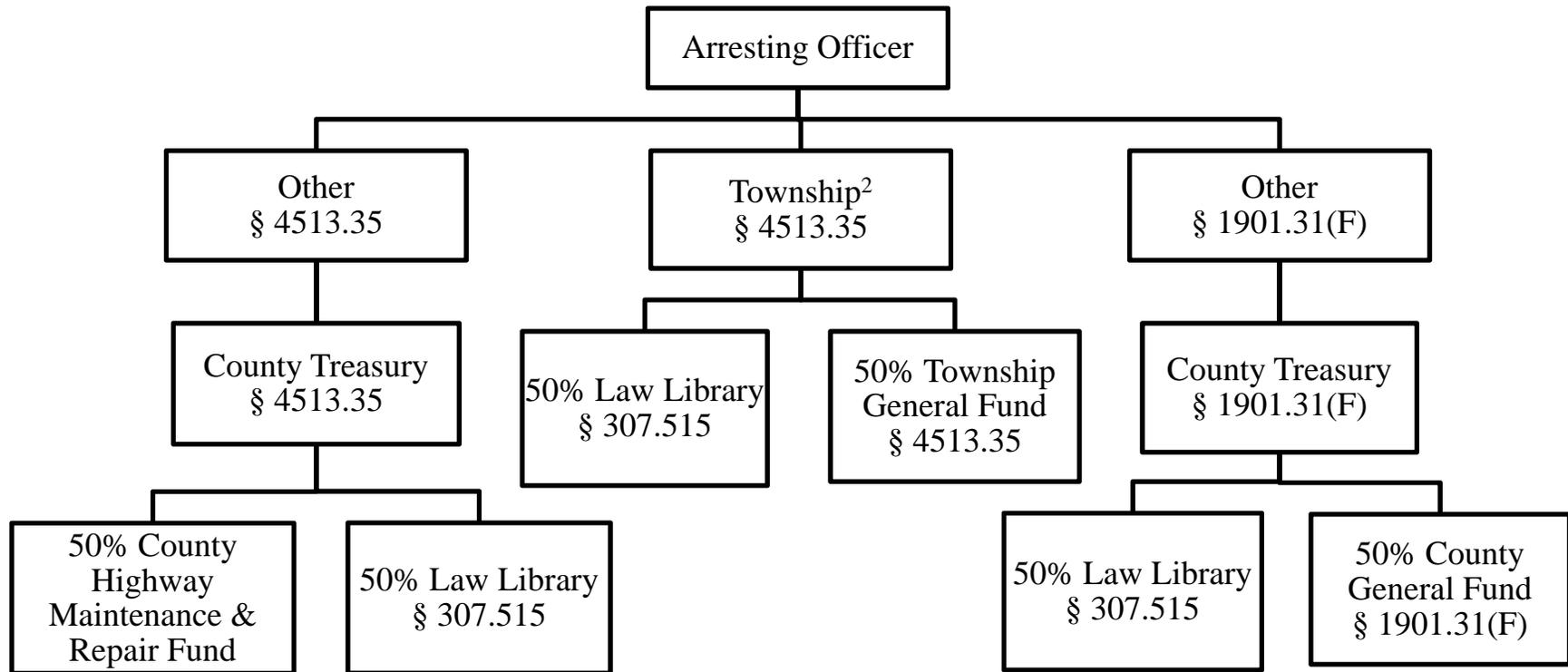
Section A: Municipal Court Payments Based on County Size

County population	Maximum to be paid by all municipal courts in the county	Maximum to be paid by any one municipal court in the county
50,000 or less	\$7,500	\$4,000
50,001 to 100,000	\$8,000	\$5,500
100,001 to 150,000	\$10,000	\$7,000
150,001 or more	\$15,000	Annually determined for each municipal court by the county auditor using the ratio of fines, costs, and forfeitures received by the municipal court in the prior year to those received by all the municipal courts in the county in that prior year

*Chart from Legislative Service Commission, 2008 HB 420 Analysis – Final

Disposition of Moneys Collected

under sections 4511.01 through 4511.78, 4511.99¹, and 4513.01 through 4513.37 of the Revised Code



- 1) All fines collected for violations of Section 4511.19, Revised Code (RC), are subject to an initial distribution according to Section 4511.99, RC, prior to any distribution made in accordance with this document. For proper distribution of fines received for violations of Section 4511.19, see pages 27-29. Also, all court costs and fees are payable to the city treasury (city where the municipal court is located), except that in a county-operated municipal court, costs and fees are to be paid into the county treasury, per Section 1901.31(F), RC.
- 2) This includes apprehensions or arrests made by deputy sheriffs performing police duties under a contract with the township in accordance with Section 311.29, RC (1968 O.A.G. 68-012) and apprehensions or arrests made by village police officers performing duties under a contract with

the township per Section 505.43, RC (1984 O.A.G. 84-062).

Section 4513.35(A)(3)(b), RC provides that “All fines collected from...persons apprehended or arrested by a township constable or other township police officer pursuant to Division (B)(2) or Section 4513.39 of the Revised Code for a violation of Section 4511.21 of the Revised Code or any other law, ordinance, or regulation pertaining to speed that occurred on a highway...shall be paid into the county treasury” and shall be distributed 50% to the law library (pursuant to 307.515) and 50% to the county highway maintenance and repair fund pursuant to 4513.35.

“All fines collected from, and all moneys arising from bonds forfeited by, persons arrested under division (E)(1) or (2) of section 2935.03 of the Revised Code are deemed to be collected, and to arise, from arrests made within the jurisdiction in which the arresting officer is appointed, elected, or employed, for violations of one of the sections or chapters of the Revised Code listed in division (E)(1) of that section and shall be distributed accordingly.” Per Section 4513.35(B)(1), RC.

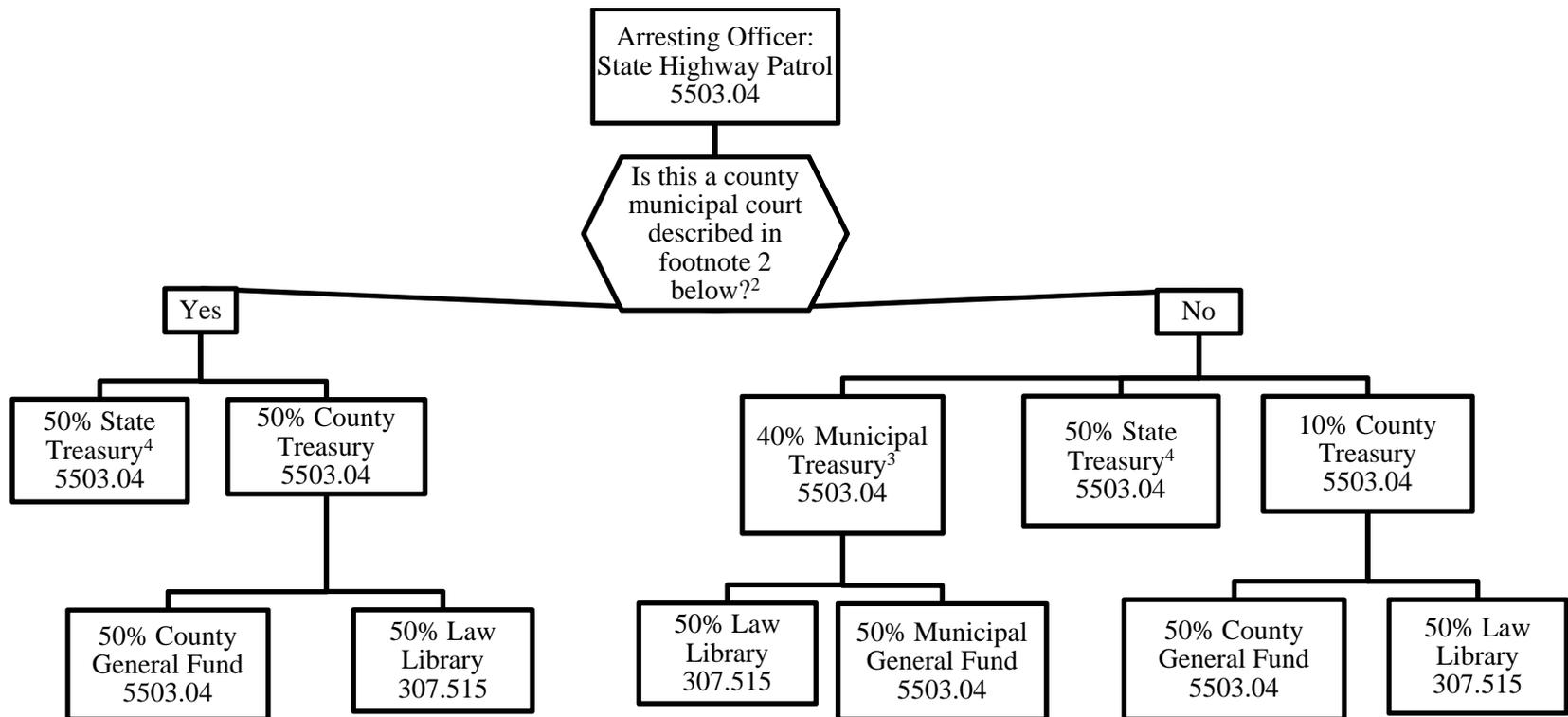
“All fines collected from, and all moneys arising from bonds forfeited by, persons arrested under division (E)(3) of section 2935.03 of the Revised Code are deemed to be collected, and to arise, from arrests made within the jurisdiction in which the arresting officer is appointed, elected, or employed, for violations of municipal ordinances that are substantially equivalent to one of the sections or one of the provisions of one of the chapters of the Revised Code listed in division (E)(1) of that section and for violations of one of the sections or one of the provisions of one of the chapters of the Revised Code listed in division (E)(1) of that section, and shall be distributed accordingly.” Per Section 4513.35(B)(2), RC.

Municipal Court¹

State Traffic Law Violations

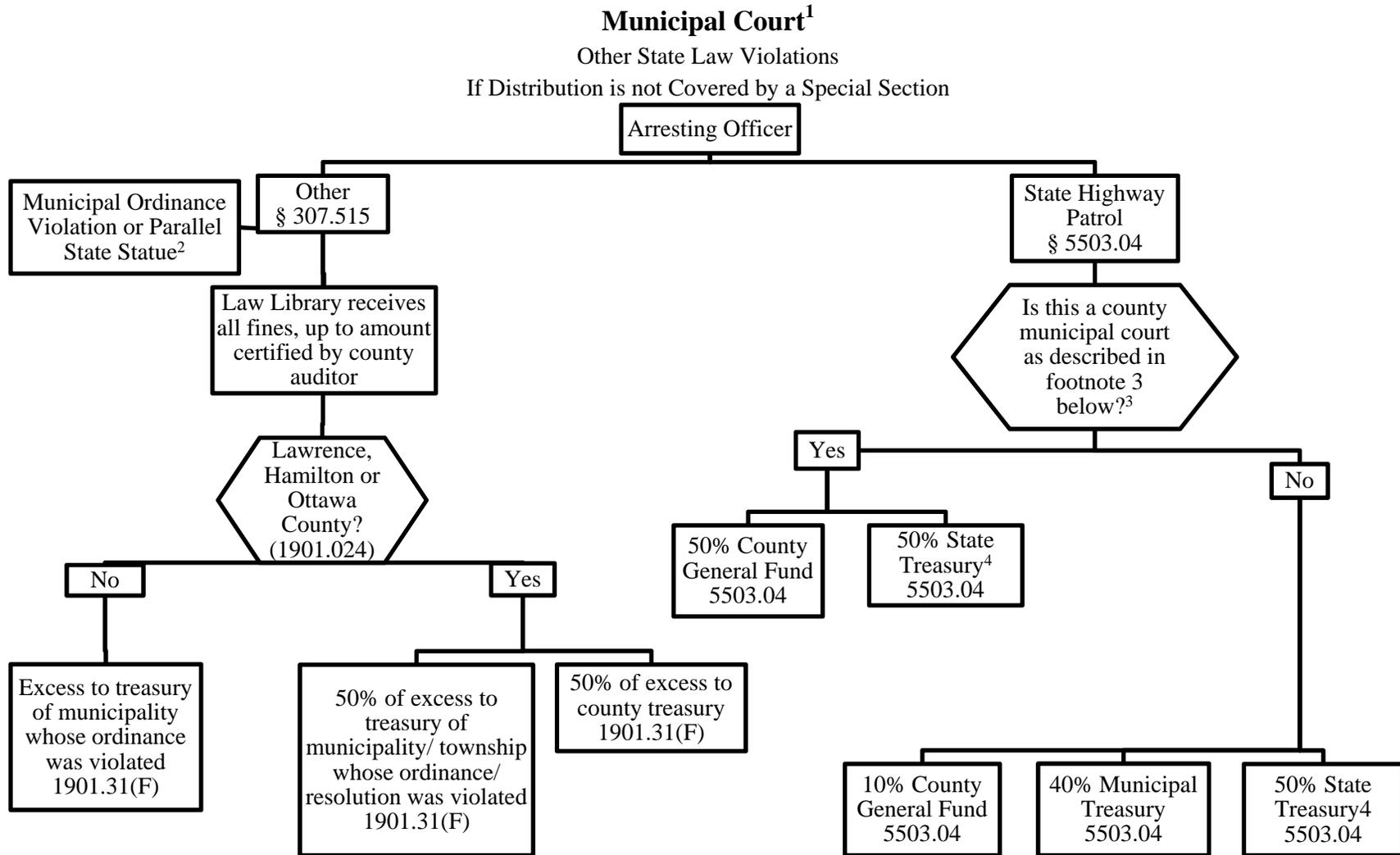
Including sections 4511.01 through 4511.78, 4511.99¹, and 4513.01 through 4513.37 of the Revised Code

See Attachment 1(Page 30) for other State traffic law violations covered by this chart



1. All Fines collected for violations of Section 4511.19, Revised Code (RC), are subject to an initial distribution according to Section 4511.99, RC, prior to any distribution made in accordance with this document. For proper distribution of fines received for violations of Section 4511.19, see pages 27-29. Also, all court costs and fees are payable to the city treasury (city where the municipal court is located), except that in a county-operated municipal court, costs and fees are to be paid into the county treasury, per Section 1901.31(F), RC.
2. "In the Auglaize county, Clermont county, Crawford county, Hocking county, Jackson county, Lawrence county, Madison county, Miami county, Ottawa county, Portage county, and Wayne county municipal courts, that portion of money otherwise paid into the municipal treasury shall be paid into the county treasury." 5503.04, RC.
3. A municipality's share of RC 5503.04 fine money is payable to the municipality prosecuting the case.

4. "Forty-five per cent of the fines collected from or moneys arising from bail forfeited by persons apprehended or arrested by state highway patrol troopers shall be paid into the state treasury to be credited to the general revenue fund, five per cent shall be paid into the state treasury to be credited to the trauma and emergency medical services grants fund created by division (E) of section 4513.263 of the Revised Code." 5503.04, RC.



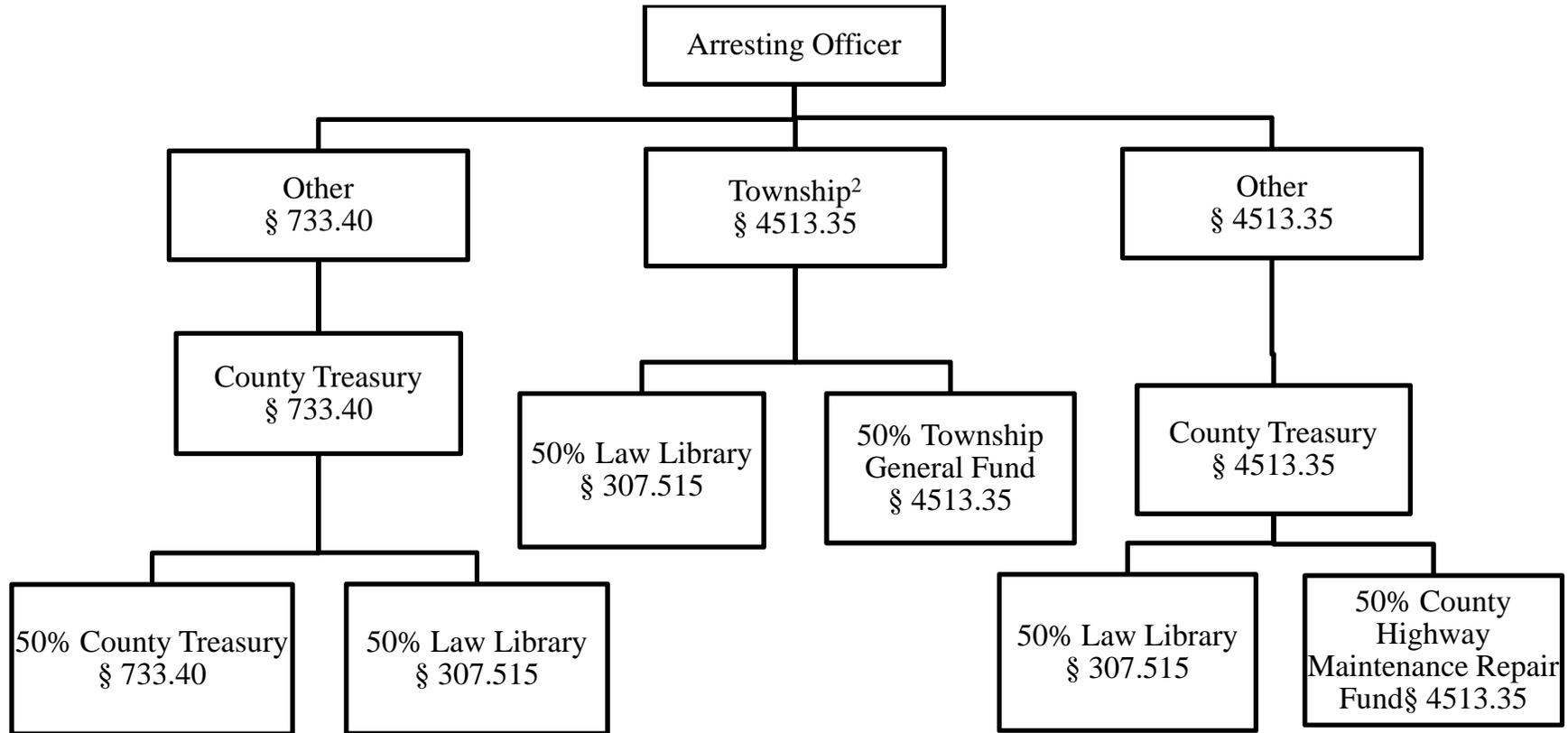
1. All costs and fees are to be paid into the city treasury where the municipal court is located, except costs and fees collected by county-operated municipal courts are payable to the county treasury, per Section 1901.31(F).
2. Per 307.515(a) RC, “Offenses and misdemeanors brought for prosecution in the name of the municipal corporation under one of its penal ordinances, where there is in force a state statute under which the offense might be prosecuted” must be added to violations of “other” state laws since both types

of violations are subject to payment to the law library. However, once the certified amount is paid, the excess attributable to violations of municipal ordinances where there are parallel state statutes must be distributed to the municipal corporation whose ordinance was violated. Violations of municipal ordinances where there is no parallel state statute are not subject to payment to the law library.

3. "In the Auglaize county, Clermont county, Crawford county, Hocking county, Jackson county, Lawrence county, Madison county, Miami county, Ottawa county, Portage county, and Wayne county municipal courts, that portion of money otherwise paid into the municipal treasury shall be paid into the county treasury." 5503.04, RC.
4. "Forty-five per cent of the fines collected from or moneys arising from bail forfeited by persons apprehended or arrested by state highway patrol troopers shall be paid into the state treasury to be credited to the general revenue fund, five per cent shall be paid into the state treasury to be credited to the trauma and emergency medical services grants fund created by division (E) of section 4513.263 of the Revised Code." 5503.04, RC.

Mayors Court¹

State Traffic Law Violations and Other State Law Violations, if Distribution not covered by Special Section



This chart (Mayors Court, pages 10-13) covers the following RC Violations:

- All traffic violations, including those listed in 4511.01 through 4511.78, 4511.99 and 4513.04 through 4513.37
 - Other State Violations if the distribution is not covered by a special section
1. All Fines collected for violations of Section 4511.19, Revised Code (RC), are subject to an initial distribution according to Section 4511.99, RC, prior to any distribution made in accordance with this document. For proper distribution of fines received for violations of Section 4511.19, see

pages 27-29. All court costs and fees collected in State cases are to be paid into the municipal treasury, per Section 733.40, RC. However, see O.A.G. No. 83-068 regarding moneys gratuitously given to a mayor for the solemnization of a marriage.

2. This includes apprehensions or arrests made by deputy sheriffs performing police duties under a contract with the township in accordance with Section 311.29, RC (1968 O.A.G. 68-012) and apprehensions or arrests made by village police officers performing duties under a contract with the township per Section 505.43, RC (1984 O.A.G. 84-062).

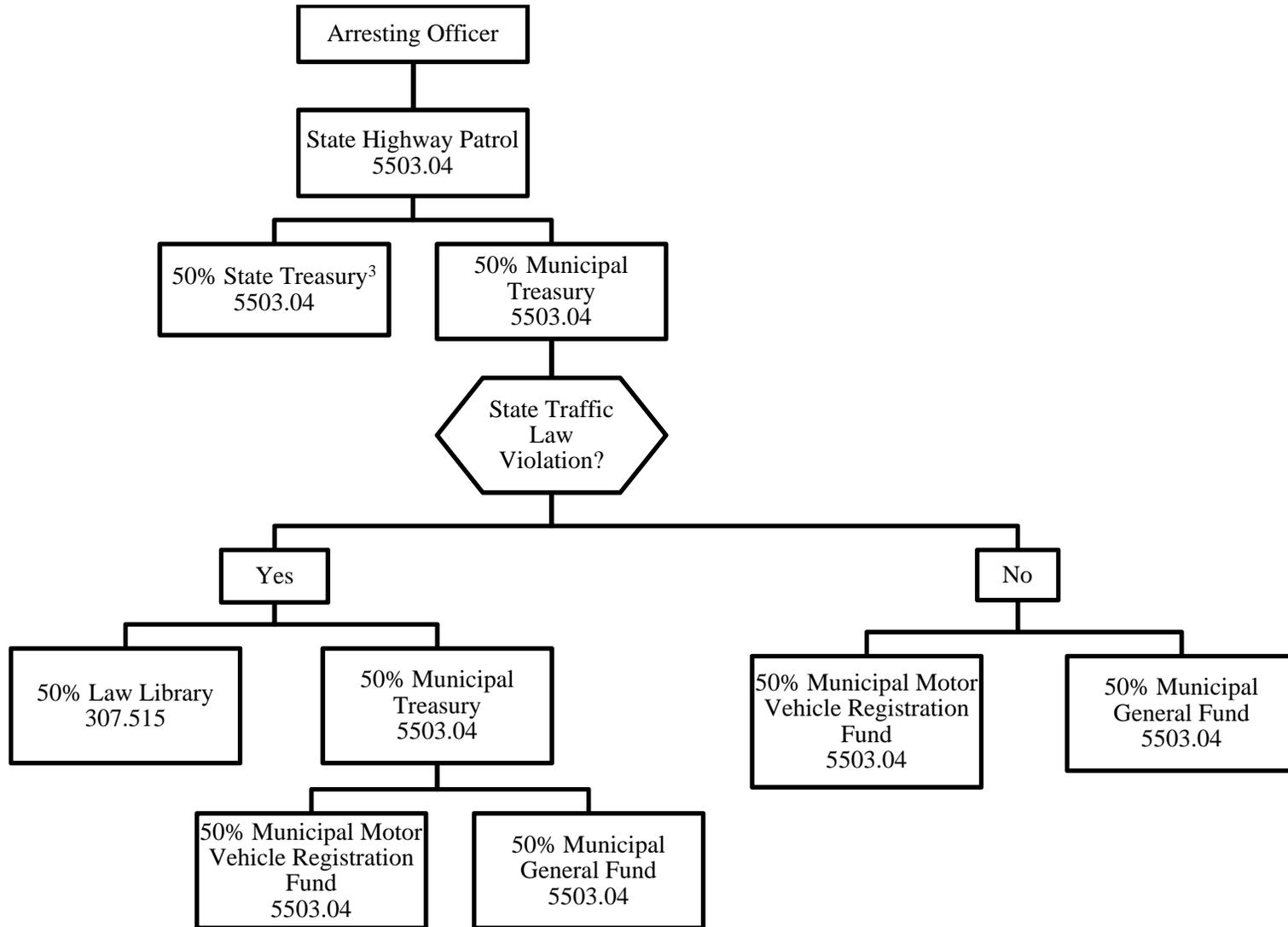
Section 4513.35(A)(3)(b), RC provides that “All fines collected from...persons apprehended or arrested by a township constable or other township police officer pursuant to Division (B)(2) or Section 4513.39 of the Revised Code for a violation of Section 4511.21 of the Revised Code or any other law, ordinance, or regulation pertaining to speed that occurred on a highway...shall be paid into the county treasury” and shall be distributed 50% to the law library (pursuant to 307.515) and 50% to the county highway maintenance and repair fund pursuant to 4513.35.

“All fines collected from, and all moneys arising from bonds forfeited by, persons arrested under division (E)(1) or (2) of section 2935.03 of the Revised Code are deemed to be collected, and to arise, from arrests made within the jurisdiction in which the arresting officer is appointed, elected, or employed, for violations of one of the sections or chapters of the Revised Code listed in division (E)(1) of that section and shall be distributed accordingly.” Per Section 4513.35(B)(1), RC.

“All fines collected from, and all moneys arising from bonds forfeited by, persons arrested under division (E)(3) of section 2935.03 of the Revised Code are deemed to be collected, and to arise, from arrests made within the jurisdiction in which the arresting officer is appointed, elected, or employed, for violations of municipal ordinances that are substantially equivalent to one of the sections or one of the provisions of one of the chapters of the Revised Code listed in division (E)(1) of that section and for violations of one of the sections or one of the provisions of one of the chapters of the Revised Code listed in division (E)(1) of that section, and shall be distributed accordingly.” Per Section 4513.35(B)(2), RC.

Mayors Court¹

State Traffic Law Violations and Other State Law Violations, if Distribution not covered by Special Section



This chart (Mayors Court, pages 10-13) covers the following RC Violations:

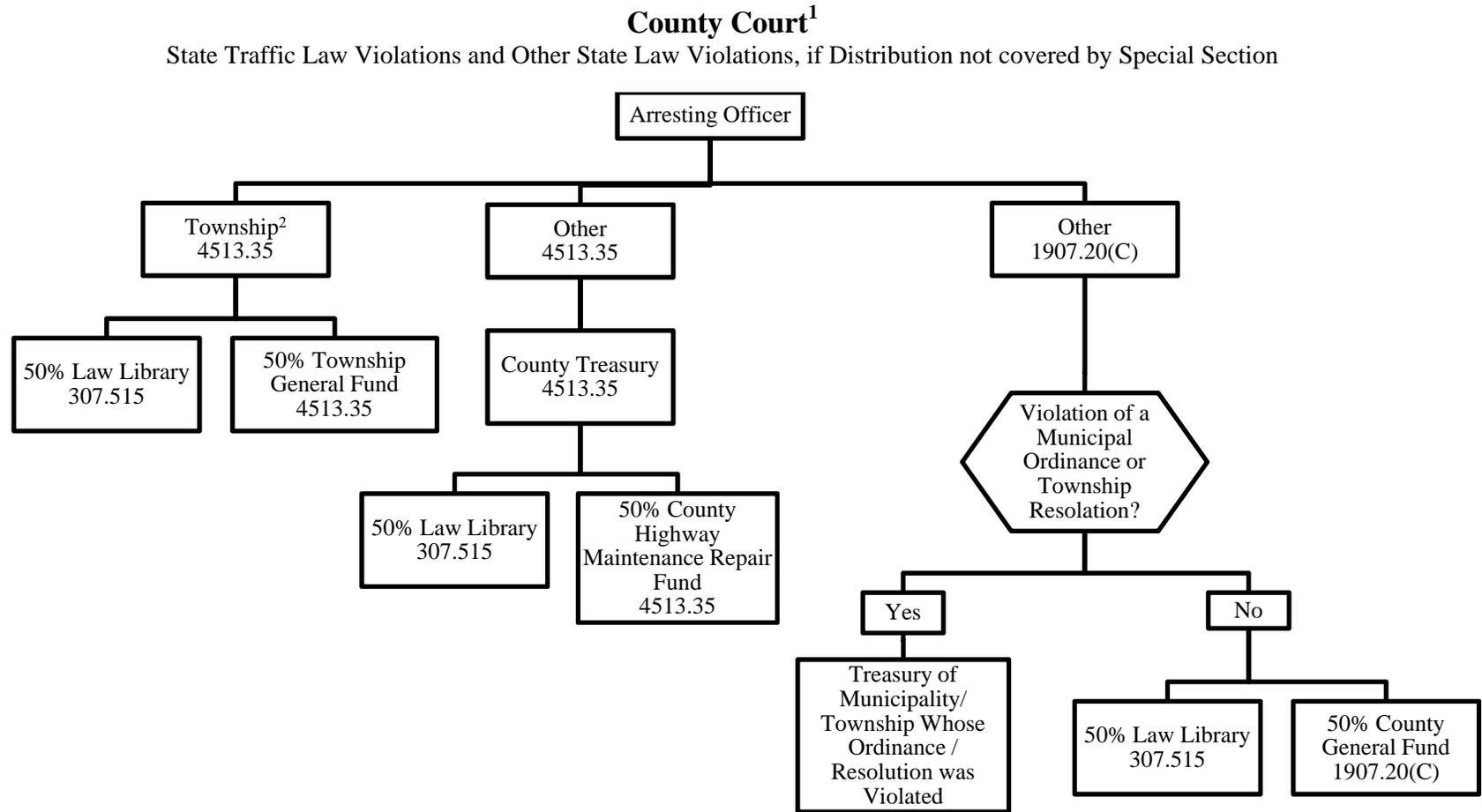
- All traffic violations, including those listed in 4511.01 through 4511.78, 4511.99 and 4513.04 through 4513.37
 - Other State Violations if the distribution is not covered by a special section
1. All Fines collected for violations of Section 4511.19, Revised Code (RC), are subject to an initial distribution according to Section 4511.99, RC, prior to any distribution made in accordance with this document. For proper distribution of fines received for violations of Section 4511.19, see pages 27-29. All court costs and fees collected in State cases are to be paid into the municipal treasury, per Section 733.40, RC. However, see O.A.G. No. 83-068 regarding moneys gratuitously given to a mayor for the solemnization of a marriage.
 2. This includes apprehensions or arrests made by deputy sheriffs performing police duties under a contract with the township in accordance with Section 311.29, RC (1968 O.A.G. 68-012) and apprehensions or arrests made by village police officers performing duties under a contract with the township per Section 505.43, RC (1984 O.A.G. 84-062).

Section 4513.35(A)(3)(b), RC provides that “All fines collected from...persons apprehended or arrested by a township constable or other township police officer pursuant to Division (B)(2) or Section 4513.39 of the Revised Code for a violation of Section 4511.21 of the Revised Code or any other law, ordinance, or regulation pertaining to speed that occurred on a highway...shall be paid into the county treasury” and shall be distributed 50% to the law library (pursuant to 307.515) and 50% to the county highway maintenance and repair fund pursuant to 4513.35.

“All fines collected from, and all moneys arising from bonds forfeited by, persons arrested under division (E)(1) or (2) of section 2935.03 of the Revised Code are deemed to be collected, and to arise, from arrests made within the jurisdiction in which the arresting officer is appointed, elected, or employed, for violations of one of the sections or chapters of the Revised Code listed in division (E)(1) of that section and shall be distributed accordingly.” Per Section 4513.35(B)(1), RC.

“All fines collected from, and all moneys arising from bonds forfeited by, persons arrested under division (E)(3) of section 2935.03 of the Revised Code are deemed to be collected, and to arise, from arrests made within the jurisdiction in which the arresting officer is appointed, elected, or employed, for violations of municipal ordinances that are substantially equivalent to one of the sections or one of the provisions of one of the chapters of the Revised Code listed in division (E)(1) of that section and for violations of one of the sections or one of the provisions of one of the chapters of the Revised Code listed in division (E)(1) of that section, and shall be distributed accordingly.” Per Section 4513.35(B)(2), RC.

3. “Forty-five per cent of the fines collected from or moneys arising from bail forfeited by persons apprehended or arrested by state highway patrol troopers shall be paid into the state treasury to be credited to the general revenue fund, five per cent shall be paid into the state treasury to be credited to the trauma and emergency medical services grants fund created by division (E) of section 4513.263 of the Revised Code.” 5503.04, RC.



This chart (County Courts pages 14-16) covers the following RC Violations:

- All traffic violations, including those listed in 4511.01 through 4511.78, 4511.99 and 4513.01 through 4513.37.
- Other State violations if the distribution is not covered by a special section.

1. All Fines collected for violations of Section 4511.19, Revised Code (RC), are subject to an initial distribution according to Section 4511.99, RC, prior to any distribution made in accordance with this document. For proper distribution of fines received for violations of Section 4511.19, see pages 27-29. All court costs and fees collected in “Other State Cases” are to be paid into the county general fund. Except, a judge of a county court may retain fees received for the solemnization of a marriage.

A municipal ordinance violation heard in a county court should be distributed 50% to the law library (per 307.515) and 50% to the treasury of the municipal corporation whose ordinance was violated (1907.20(C)). A township resolution violation heard in a county court should be distributed 50% to the law library (307.515) and 50% to the treasury of the township whose resolution was violated (1907.20(C)).

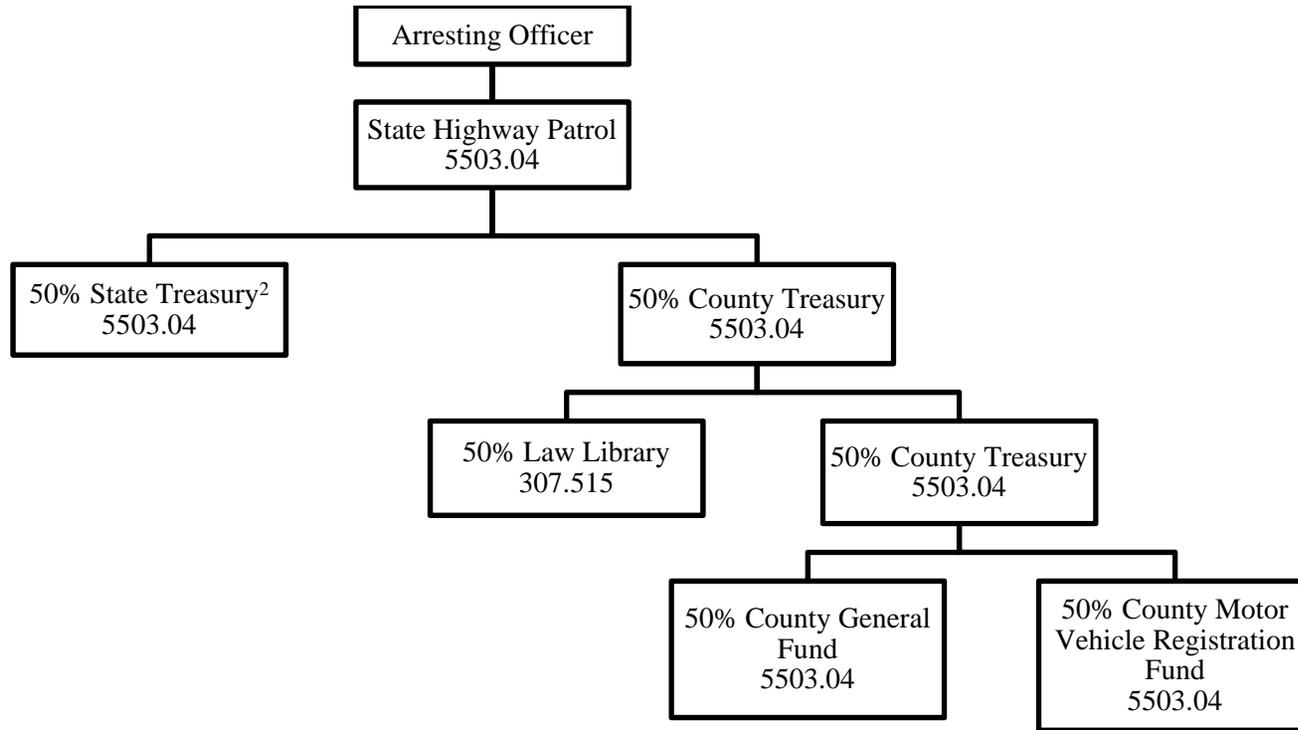
2. This includes apprehensions or arrests made by deputy sheriffs performing police duties under a contract with the township in accordance with Section 311.29, RC (1968 O.A.G. 68-012) and apprehensions or arrests made by village police officers performing duties under a contract with the township per Section 505.43, RC (1984 O.A.G. 84-062).

Section 4513.35(A)(3)(b), RC provides that “All fines collected from...persons apprehended or arrested by a township constable or other township police officer pursuant to Division (B)(2) or Section 4513.39 of the Revised Code for a violation of Section 4511.21 of the Revised Code or any other law, ordinance, or regulation pertaining to speed that occurred on a highway...shall be paid into the county treasury” and shall be distributed 50% to the law library (pursuant to 307.515) and 50% to the county highway maintenance and repair fund pursuant to 4513.35.

“All fines collected from, and all moneys arising from bonds forfeited by, persons arrested under division (E)(1) or (2) of section 2935.03 of the Revised Code are deemed to be collected, and to arise, from arrests made within the jurisdiction in which the arresting officer is appointed, elected, or employed, for violations of one of the sections or chapters of the Revised Code listed in division (E)(1) of that section and shall be distributed accordingly.” Per Section 4513.35(B)(1), RC.

“All fines collected from, and all moneys arising from bonds forfeited by, persons arrested under division (E)(3) of section 2935.03 of the Revised Code are deemed to be collected, and to arise, from arrests made within the jurisdiction in which the arresting officer is appointed, elected, or employed, for violations of municipal ordinances that are substantially equivalent to one of the sections or one of the provisions of one of the chapters of the Revised Code listed in division (E)(1) of that section and for violations of one of the sections or one of the provisions of one of the chapters of the Revised Code listed in division (E)(1) of that section, and shall be distributed accordingly.” Per Section 4513.35(B)(2), RC.

County Court¹
 State Traffic Law Violations and Other State Law Violations, if Distribution not covered by Special Section

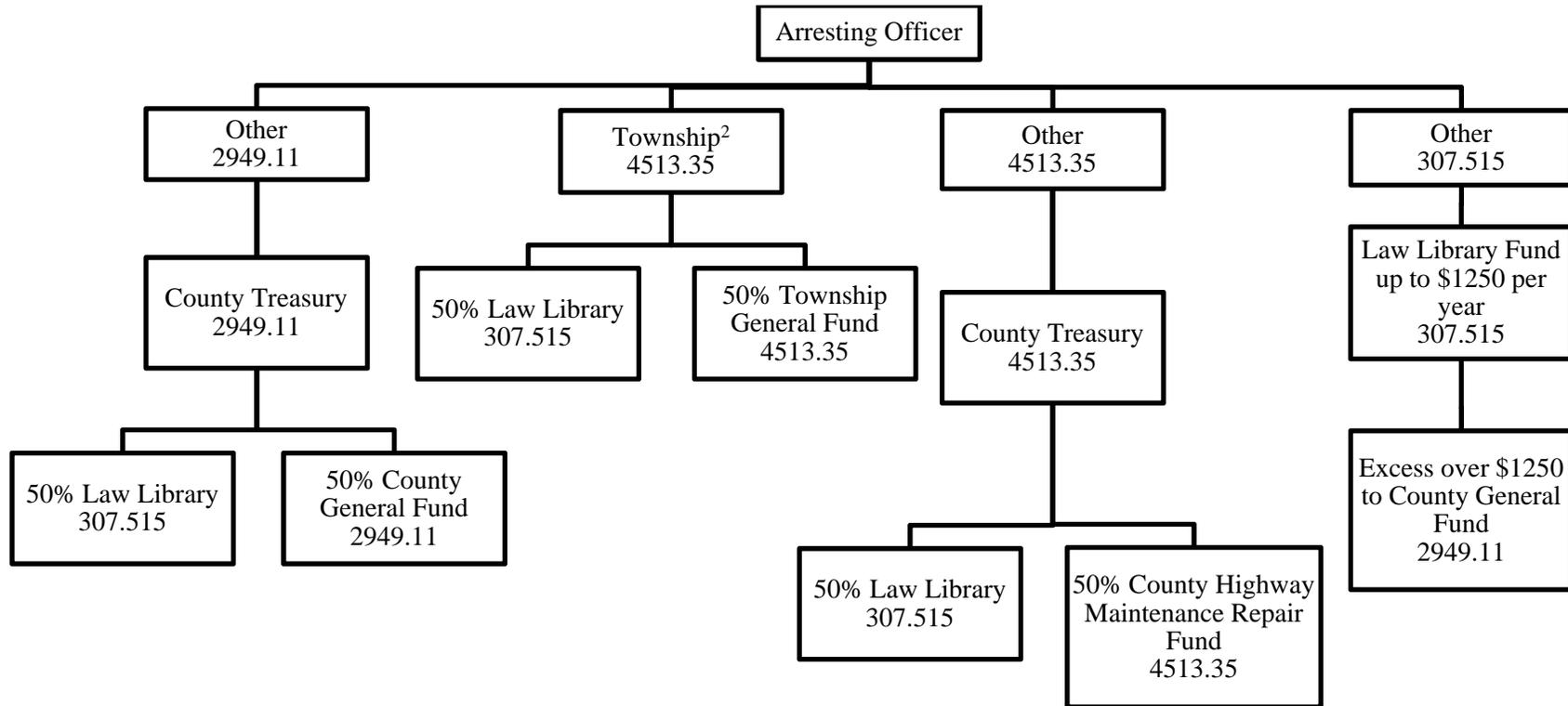


This chart (County Courts pages 14-16) covers the following RC Violations:

- All traffic violations, including those listed in 4511.01 through 4511.78, 4511.99 and 4513.01 through 4513.37.
 - Other State violations if the distribution is not covered by a special section.
1. All Fines collected for violations of Section 4511.19, Revised Code (RC), are subject to an initial distribution according to Section 4511.99, RC, prior to any distribution made in accordance with this document. For proper distribution of fines received for violations of Section 4511.19, see pages 27-29.
 2. “Forty-five per cent of the fines collected from or moneys arising from bail forfeited by persons apprehended or arrested by state highway patrol troopers shall be paid into the state treasury to be credited to the general revenue fund, five per cent shall be paid into the state treasury to be credited to the trauma and emergency medical services grants fund created by division (E) of section 4513.263 of the Revised Code.” 5503.04, RC.

Common Pleas Court¹

State Traffic Law Violations and Other State Law Violations, if Distribution not covered by Special Section



This chart (Common Pleas Courts, pages 17-20) covers the following RC violations:

- All traffic violations, including those listed in 4511.01 through 4511.78, 4511.99 and 4513.01 through 4513.37.
- Other State violations if the distribution is not covered by a special section.

1. All Fines collected for violations of Section 4511.19, Revised Code (RC), are subject to an initial distribution according to Section 4511.99, RC, prior to any distribution made in accordance with this document. For proper distribution of fines received for violations of Section 4511.19, see pages 27-29.
2. This includes apprehensions or arrests made by deputy sheriffs performing police duties under a contract with the township in accordance with Section 311.29, RC (1968 O.A.G. 68-012) and apprehensions or arrests made by village police officers performing duties under a contract with

the township per Section 505.43, RC (1984 O.A.G. 84-062).

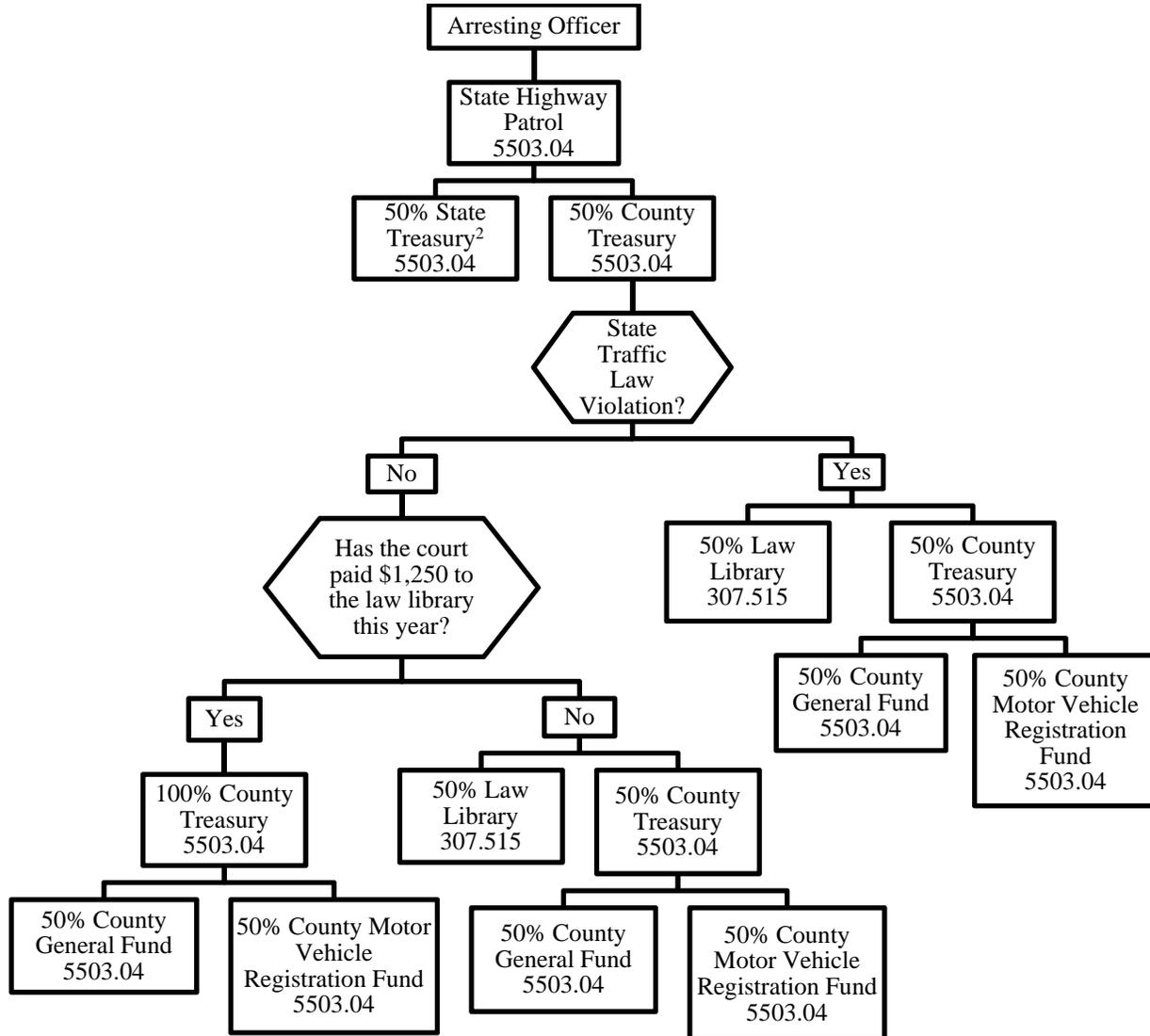
Section 4513.35(A)(3)(b), RC provides that “All fines collected from...persons apprehended or arrested by a township constable or other township police officer pursuant to Division (B)(2) or Section 4513.39 of the Revised Code for a violation of Section 4511.21 of the Revised Code or any other law, ordinance, or regulation pertaining to speed that occurred on a highway...shall be paid into the county treasury” and shall be distributed 50% to the law library (pursuant to 307.515) and 50% to the county highway maintenance and repair fund pursuant to 4513.35.

“All fines collected from, and all moneys arising from bonds forfeited by, persons arrested under division (E)(1) or (2) of section 2935.03 of the Revised Code are deemed to be collected, and to arise, from arrests made within the jurisdiction in which the arresting officer is appointed, elected, or employed, for violations of one of the sections or chapters of the Revised Code listed in division (E)(1) of that section and shall be distributed accordingly.” Per Section 4513.35(B)(1), RC.

“All fines collected from, and all moneys arising from bonds forfeited by, persons arrested under division (E)(3) of section 2935.03 of the Revised Code are deemed to be collected, and to arise, from arrests made within the jurisdiction in which the arresting officer is appointed, elected, or employed, for violations of municipal ordinances that are substantially equivalent to one of the sections or one of the provisions of one of the chapters of the Revised Code listed in division (E)(1) of that section and for violations of one of the sections or one of the provisions of one of the chapters of the Revised Code listed in division (E)(1) of that section, and shall be distributed accordingly.” Per Section 4513.35(B)(2), RC.

Common Pleas Court¹

State Traffic Law Violations and Other State Law Violations, if Distribution not covered by
Special Section



This chart (Common Pleas Courts, pages 17-20) covers the following RC violations:

- All traffic violations, including those listed in 4511.01 through 4511.78, 4511.99 and 4513.01 through 4513.37.
 - Other State violations if the distribution is not covered by a special section.
1. All Fines collected for violations of Section 4511.19, Revised Code (RC), are subject to an initial distribution according to Section 4511.99, RC, prior to any distribution made in accordance with this document. For proper distribution of fines received for violations of Section 4511.19, see pages 27-29. All court costs and fees collected in state cases are payable to the county general fund.

Also, if the juvenile court is either a separate division of the court of common pleas or a sub-unit of

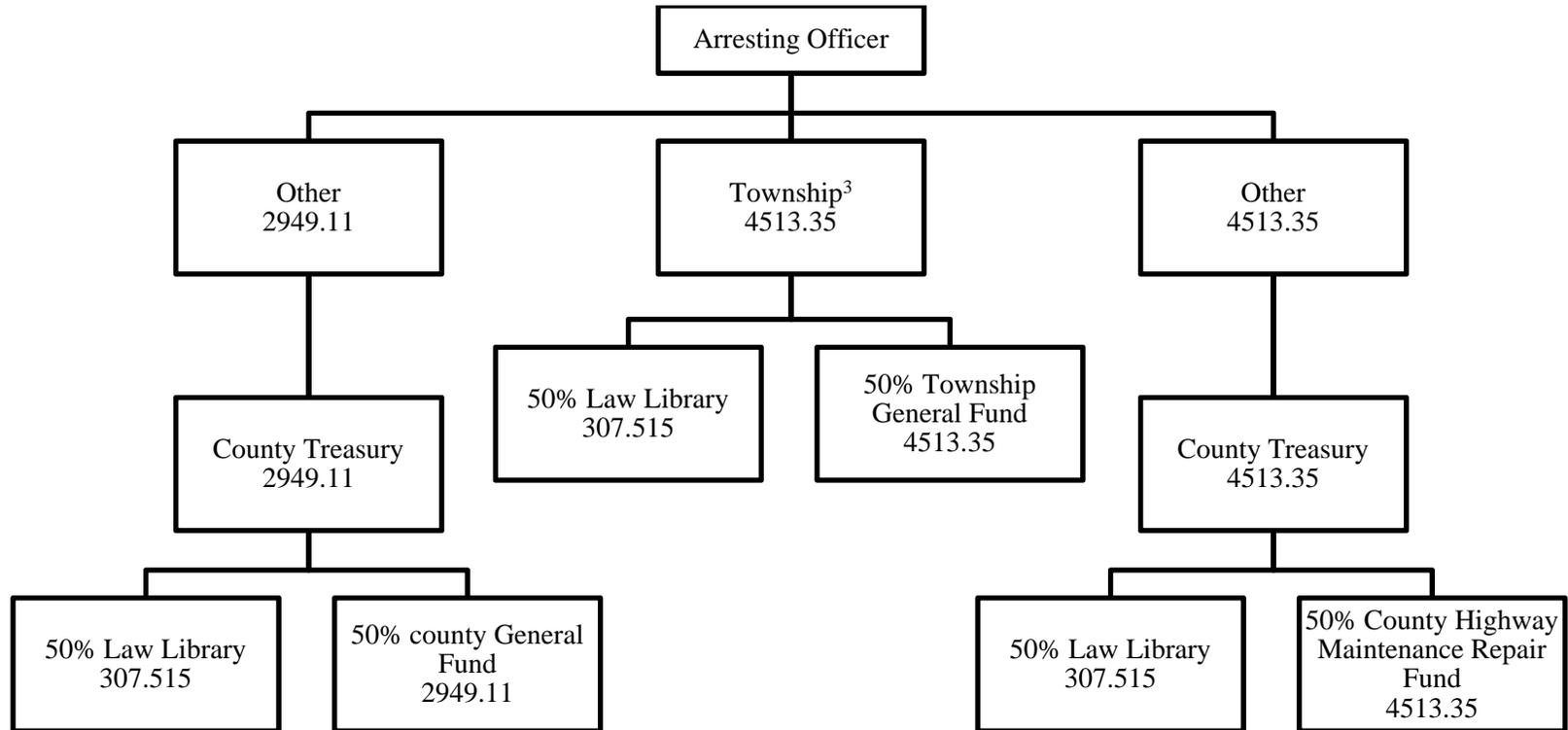
the domestic relations division of the court of common pleas, fine monies collected by a juvenile court for violations of “other state laws” are to be included with fines collected for such violations by the court of common pleas, until the common pleas court has contributed \$1,250 to the law library in a year. If the juvenile court is a sub-unit of the probate court, fines collected by the juvenile court for violations of “other state laws” are to be included with the fines collected for such violations by the probate court until the probate court has contributed \$1,250 to the law library in a year.

“All fines collected from, and all moneys arising from bonds forfeited by, persons arrested under division (E)(1) or (2) of section 2935.03 of the Revised Code are deemed to be collected, and to arise, from arrests made within the jurisdiction in which the arresting officer is appointed, elected, or employed, for violations of one of the sections or chapters of the Revised Code listed in division (E)(1) of that section and shall be distributed accordingly.” Per Section 4513.35(B)(1), RC.

“All fines collected from, and all moneys arising from bonds forfeited by, persons arrested under division (E)(3) of section 2935.03 of the Revised Code are deemed to be collected, and to arise, from arrests made within the jurisdiction in which the arresting officer is appointed, elected, or employed, for violations of municipal ordinances that are substantially equivalent to one of the sections or one of the provisions of one of the chapters of the Revised Code listed in division (E)(1) of that section and for violations of one of the sections or one of the provisions of one of the chapters of the Revised Code listed in division (E)(1) of that section, and shall be distributed accordingly.” Per Section 4513.35(B)(2), RC.

2. “Forty-five per cent of the fines collected from or moneys arising from bail forfeited by persons apprehended or arrested by state highway patrol troopers shall be paid into the state treasury to be credited to the general revenue fund, five per cent shall be paid into the state treasury to be credited to the trauma and emergency medical services grants fund created by division (E) of section 4513.263 of the Revised Code.” 5503.04, RC.

Juvenile Court¹
State Traffic Law Violations²



This chart (Juvenile Courts, pages 21-23) covers the following RC violations:

- All traffic violations, including those listed in 4511.01 through 4511.78, 4511.99 and 4513.01 through 4513.37.
- Other State violations if the distribution is not covered by a special section.

1. All Fines collected for violations of Section 4511.19, Revised Code (RC), are subject to an initial distribution according to Section 4511.99, RC, prior to any distribution made in accordance with this document. For proper distribution of fines received for violations of Section 4511.19, see pages 27-29.

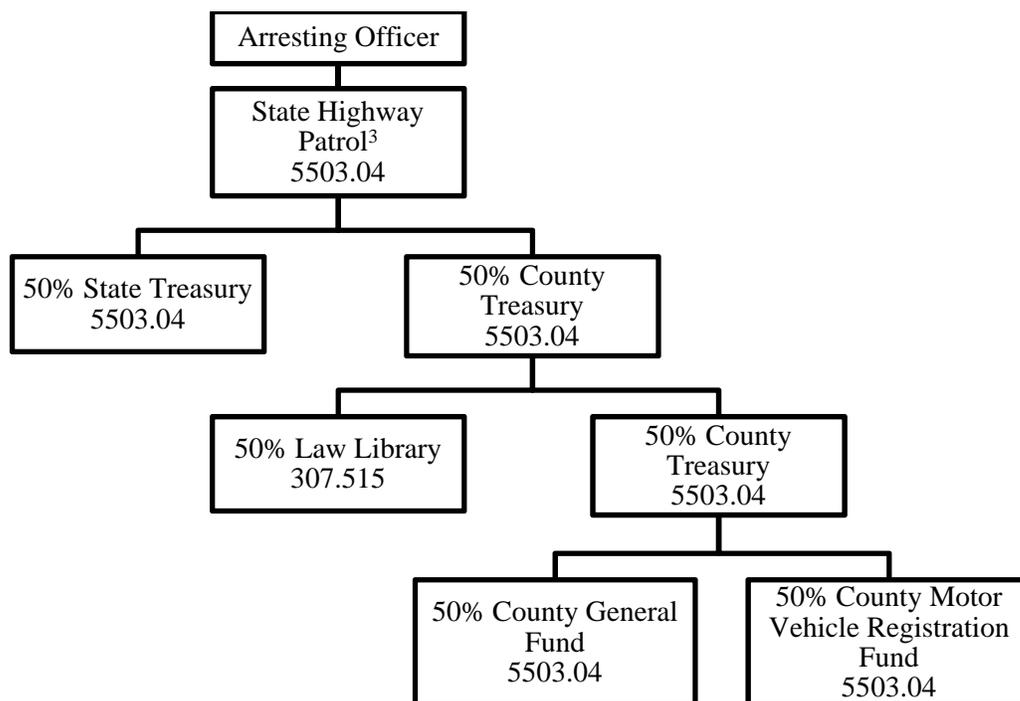
2. Section 2151.356, RC, limits the fine imposed on a juvenile to \$50.
3. This includes apprehensions or arrests made by deputy sheriffs performing police duties under a contract with the township in accordance with Section 311.29, RC (1968 O.A.G. 68-012) and apprehensions or arrests made by village police officers performing duties under a contract with the township per Section 505.43, RC (1984 O.A.G. 84-062).

Section 4513.35(A)(3)(b), RC provides that “All fines collected from...persons apprehended or arrested by a township constable or other township police officer pursuant to Division (B)(2) or Section 4513.39 of the Revised Code for a violation of Section 4511.21 of the Revised Code or any other law, ordinance, or regulation pertaining to speed that occurred on a highway...shall be paid into the county treasury” and shall be distributed 50% to the law library (pursuant to 307.515) and 50% to the county highway maintenance and repair fund pursuant to 4513.35.

“All fines collected from, and all moneys arising from bonds forfeited by, persons arrested under division (E)(1) or (2) of section 2935.03 of the Revised Code are deemed to be collected, and to arise, from arrests made within the jurisdiction in which the arresting officer is appointed, elected, or employed, for violations of one of the sections or chapters of the Revised Code listed in division (E)(1) of that section and shall be distributed accordingly.” Per Section 4513.35(B)(1), RC.

“All fines collected from, and all moneys arising from bonds forfeited by, persons arrested under division (E)(3) of section 2935.03 of the Revised Code are deemed to be collected, and to arise, from arrests made within the jurisdiction in which the arresting officer is appointed, elected, or employed, for violations of municipal ordinances that are substantially equivalent to one of the sections or one of the provisions of one of the chapters of the Revised Code listed in division (E)(1) of that section and for violations of one of the sections or one of the provisions of one of the chapters of the Revised Code listed in division (E)(1) of that section, and shall be distributed accordingly.” Per Section 4513.35(B)(2), RC.

Juvenile Court¹
State Traffic Law Violations²



This chart (Juvenile Courts, pages 21-23) covers the following RC violations:

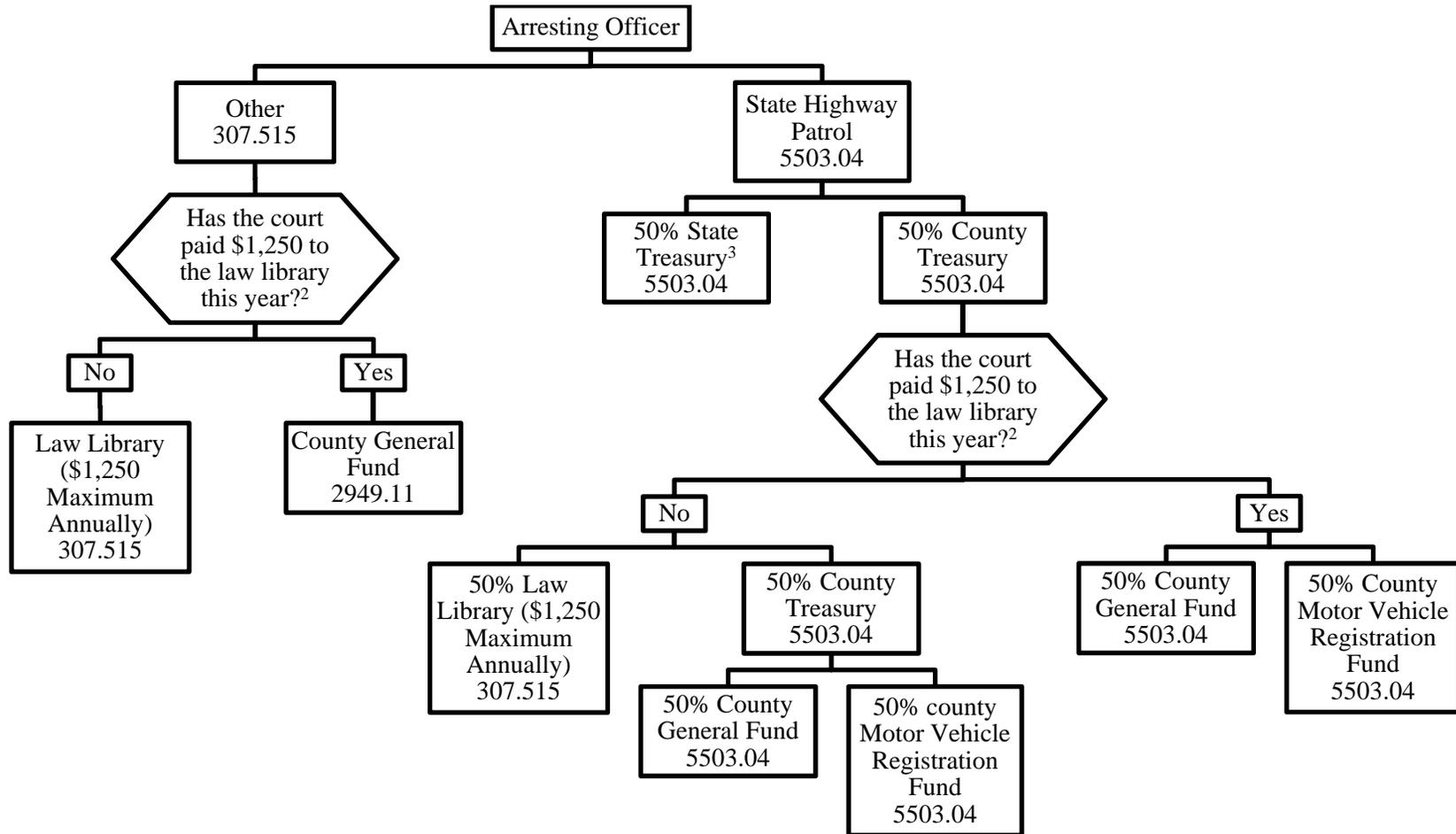
- All traffic violations, including those listed in 4511.01 through 4511.78, 4511.99 and 4513.01 through 4513.37.
1. All Fines collected for violations of Section 4511.19, Revised Code (RC), are subject to an initial distribution according to Section 4511.99, RC, prior to any distribution made in accordance with this document. For proper distribution of fines received for violations of Section 4511.19, see pages 27-29. All court costs and fees collected in state cases are payable to the county general fund.

“All fines collected from, and all moneys arising from bonds forfeited by, persons arrested under division (E)(1) or (2) of section 2935.03 of the Revised Code are deemed to be collected, and to arise, from arrests made within the jurisdiction in which the arresting officer is appointed, elected, or employed, for violations of one of the sections or chapters of the Revised Code listed in division (E)(1) of that section and shall be distributed accordingly.” Per Section 4513.35(B)(1), RC.

“All fines collected from, and all moneys arising from bonds forfeited by, persons arrested under division (E)(3) of section 2935.03 of the Revised Code are deemed to be collected, and to arise, from arrests made within the jurisdiction in which the arresting officer is appointed, elected, or employed, for violations of municipal ordinances that are substantially equivalent to one of the sections or one of the provisions of one of the chapters of the Revised Code listed in division (E)(1) of that section and for violations of one of the sections or one of the provisions of one of the chapters of the Revised Code listed in division (E)(1) of that section, and shall be distributed accordingly.” Per Section 4513.35(B)(2), RC.
 2. Section 2151.356, RC, limits the fine imposed on a juvenile to \$50.
 3. O.A.G. Opinion 87-023 held that “The language ‘All fines collected from or moneys arising from bonds forfeited by persons apprehended or arrested by State Highway Patrol Troopers’ appearing in RC 5503.04 includes such fines and moneys when they are collected in probate and juvenile court.”

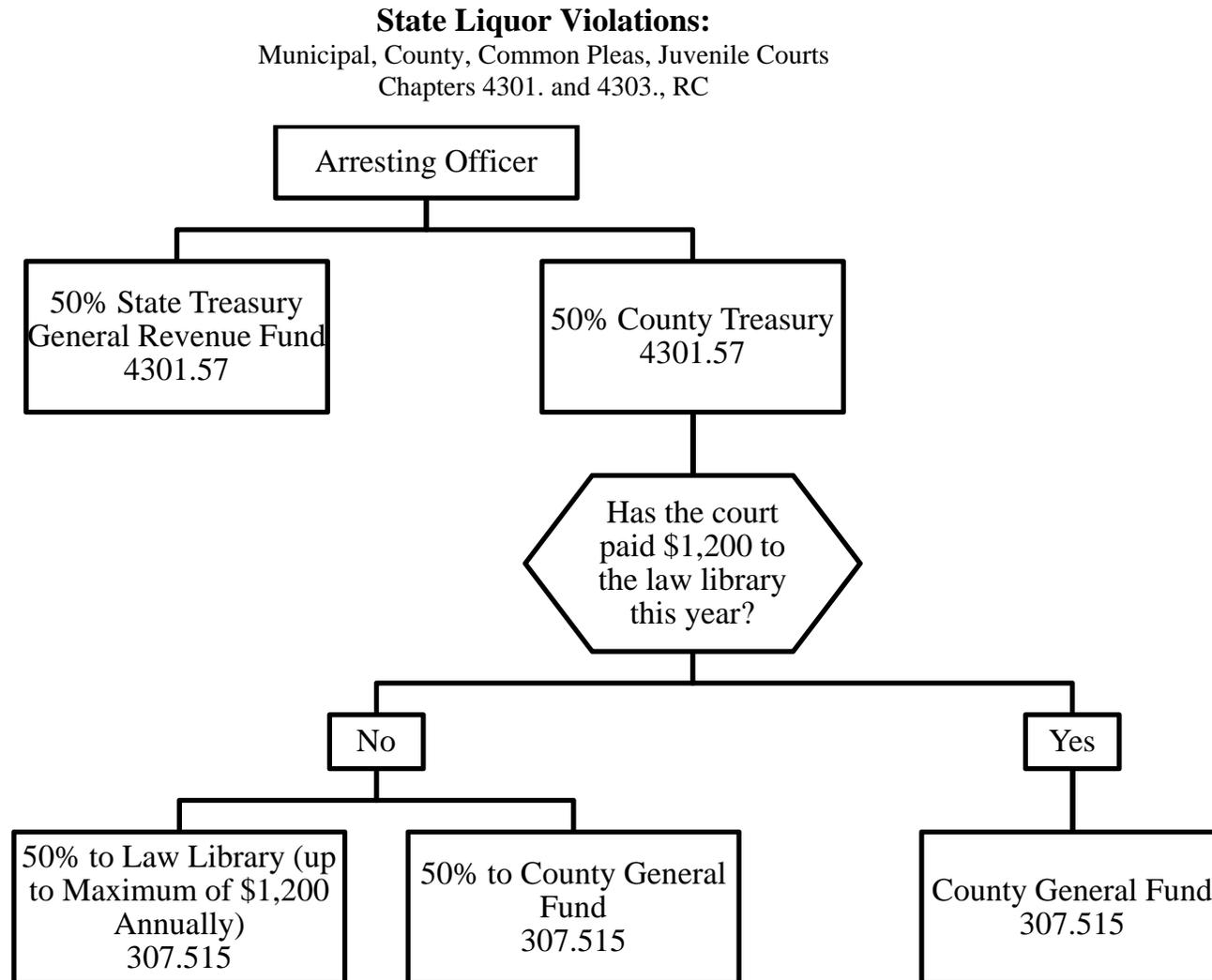
Probate Court¹

Other State Law Violations is Distribution is not Covered by a Special Section



1. As a practical matter, a probate court would not be involved in distributing liquor violation fines. Also, a probate court would be involved in distributing traffic fines only if the juvenile court was a sub-unit of the probate court. For the proper distribution in such a situation, see the accompanying juvenile court charts.

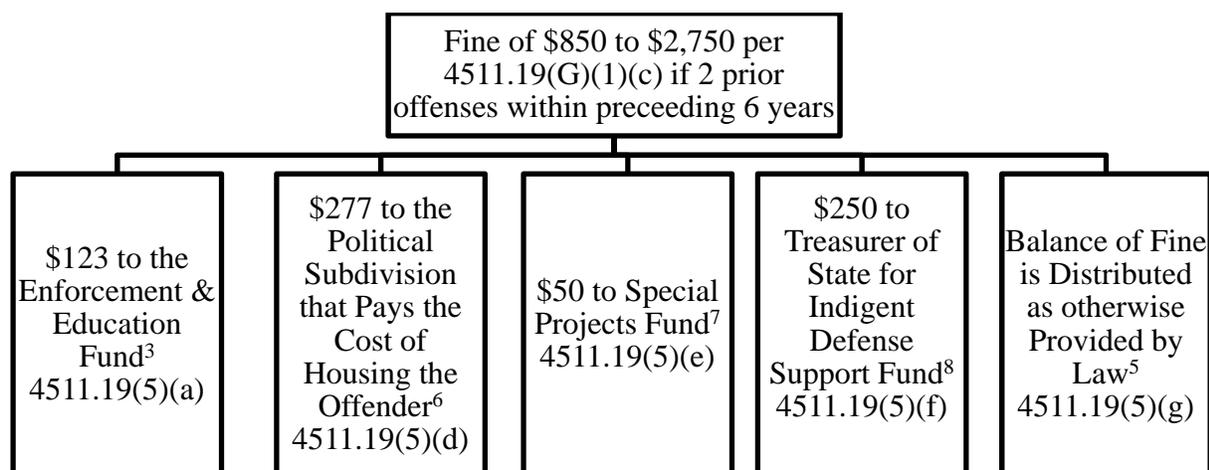
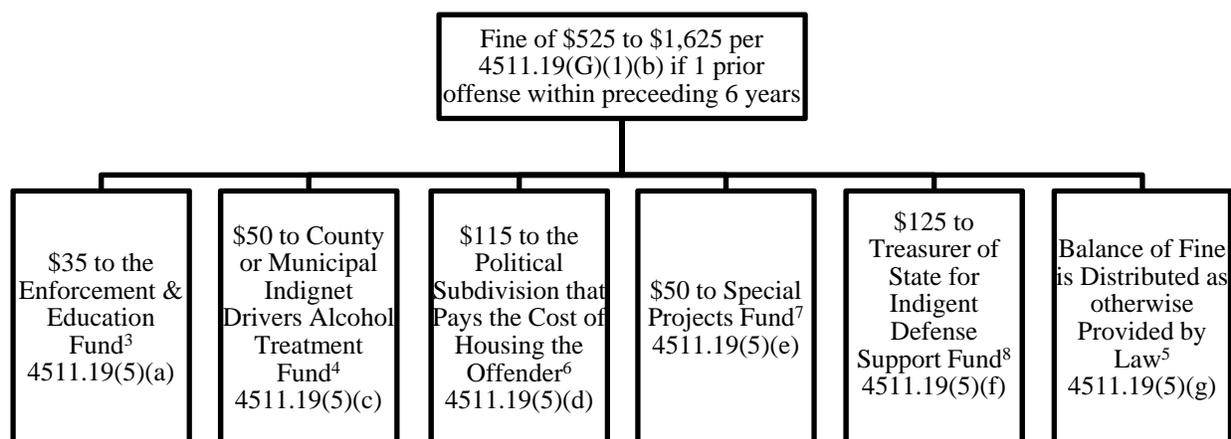
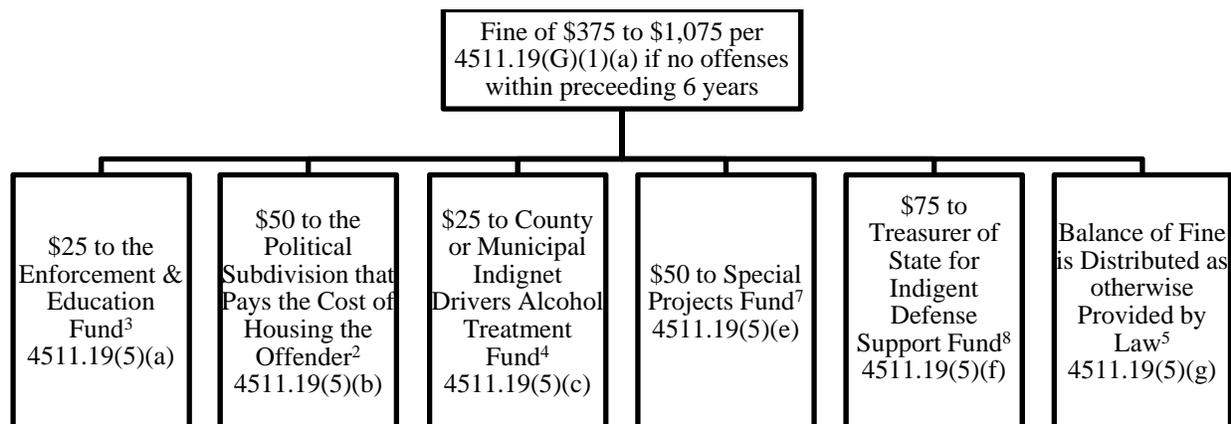
2. In accordance with 307.515, RC, a probate court is to pay the law library up to \$1,250 per year regardless of the fact that the probate court is a division of the court of common pleas.
3. “Forty-five per cent of the fines collected from or moneys arising from bail forfeited by persons apprehended or arrested by state highway patrol troopers shall be paid into the state treasury to be credited to the general revenue fund, five per cent shall be paid into the state treasury to be credited to the trauma and emergency medical services grants fund created by division (E) of section 4513.263 of the Revised Code.” 5503.04, RC.

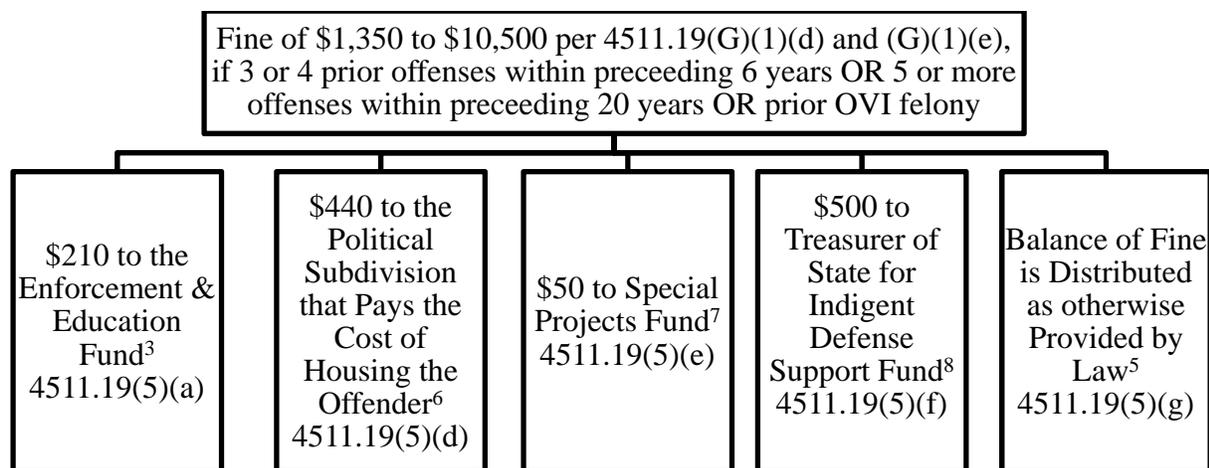


This demonstrates the proper distribution of “Money from fines and forfeited bonds collected under any of the penal laws of this state relating to the manufacture, importation, transportation, distribution, or sale of beer or intoxicating liquor,” pursuant to Section 4301.57, RC. Offenses such as consuming in a motor vehicle (4301.64), open container (4301.62), and underage consumption (4301.632) relating to possession or consumption of alcohol may not be subject to distribution under Section 4301.57, and accordingly would not be subject to distribution per this chart. Please consult statutory legal counsel for the proper distribution of such fines.

Allocations of Fines Received for violations of Section 4511.19, RC¹

(Applicable to all courts hearing violations of 4511.19, RC)





- All fines collected under Section 4511.19, RC, are subject to an initial distribution in accordance with this chart. Note: \$25 of any fine imposed for violating a municipal ordinance related to driving under the influence of drugs or alcohol is to be deposited into the municipal or county indigent drivers alcohol treatment fund, pursuant to 4511.193.
- “Fifty dollars of the fine imposed under division (G)(1)(a)(iii) of this section shall be paid to the political subdivision that pays the cost of housing the offender during the offender’s term of incarceration. If the offender is being sentenced for a violation of division (A)(1)(a), (b), (c), (d), (e), or (j) of this section and was confined as a result of the offense prior to being sentenced for the offense but is not sentenced to a term of incarceration, the fifty dollars shall be paid to the political subdivision that paid the cost of housing the offender during that period of confinement. The political subdivision shall use the share under this division to pay or reimburse incarceration or treatment costs it incurs in housing or providing drug and alcohol treatment to persons who violate this section or a municipal OVI ordinance, costs of any immobilizing or disabling device used on the offender’s vehicle, and costs of electronic house arrest equipment needed for persons who violate this section.”
4511.19(G)(5)(b), RC.
- This money shall be paid to an enforcement & education fund established by the legislative authority of the law enforcement agency in this state that was primarily responsible for the arrest, as determined by the court imposing the fine.

“Twenty-five dollars of the fine imposed under division (G)(1)(a)(iii), thirty-five dollars of the fine imposed under division (G)(1)(b)(iii), one hundred twenty-three dollars of the fine imposed under division (G)(1)(c)(iii), and two hundred ten dollars of the fine imposed under division (G)(1)(d)(iii) or (e)(iii) of this section shall be paid to an enforcement and education fund established by the legislative authority of the law enforcement agency in this state that primarily was responsible for the arrest of the offender, as determined by the court that imposes the fine. The agency shall use this share to pay only those costs it incurs in enforcing this section or a municipal OVI ordinance and in informing the public of the laws governing the operation of a vehicle while under the influence of alcohol, the dangers of the operation of a vehicle under the influence of alcohol, and other information relating to the operation of a vehicle under the influence of alcohol and the consumption of alcoholic beverages.”
4511.19(G)(5)(a), RC.
- This money shall be deposited into the county or municipal indigent drivers alcohol treatment fund under the control of that court.

“Twenty-five dollars of the fine imposed under division (G)(1)(a)(iii) and fifty dollars of the fine imposed under division (G)(1)(b)(iii) of this section shall be deposited into the county or municipal indigent drivers’ alcohol treatment fund under the control of that court, as created by the county or municipal corporation under division (F) of section 4511.191 of the Revised Code.” 4511.19(G)(5)(c), RC.

5. See other court charts for proper distribution of the balance of the fine.

“The balance of the fine imposed under division (G)(1)(a)(iii), (b)(iii), (c)(iii), (d)(iii), or (e)(iii) of this section shall be disbursed as otherwise provided by law.” 4511.19(G)(5)(g), RC.

6. “One hundred fifteen dollars of the fine imposed under division (G)(1)(b)(iii), two hundred seventy-seven dollars of the fine imposed under division (G)(1)(c)(iii), and four hundred forty dollars of the fine imposed under division (G)(1)(d)(iii) or (e)(iii) of this section shall be paid to the political subdivision that pays the cost of housing the offender during the offender’s term of incarceration. The political subdivision shall use this share to pay or reimburse incarceration or treatment costs it incurs in housing or providing drug and alcohol treatment to persons who violate this section or a municipal OVI ordinance, costs for any immobilizing or disabling device used on the offender’s vehicle, and costs of electronic house arrest equipment needed for persons who violate this section.” 4511.19(G)(5)(d), RC.
7. “Fifty dollars of the fine imposed under divisions (G)(1)(a)(iii), (G)(1)(b)(iii), (G)(1)(c)(iii), (G)(1)(d)(iii), and (G)(1)(e)(iii) of this section shall be deposited into the special projects fund of the court in which the offender was convicted and that is established under division (E)(1) of section 2303.201, division (B)(1) of section 1901.26, or division (B)(1) of section 1907.24 of the Revised Code, to be used exclusively to cover the cost of immobilizing or disabling devices, including certified ignition interlock devices, and remote alcohol monitoring devices for indigent offenders who are required by a judge to use either of these devices. If the court in which the offender was convicted does not have a special projects fund that is established under division (E)(1) of section 2303.201, division (B)(1) of section 1901.26, or division (B)(1) of section 1907.24 of the Revised Code, the fifty dollars shall be deposited into the indigent drivers interlock and alcohol monitoring fund under division (I) of section 4511.191 of the Revised Code.” 4511.19(G)(5)(e), RC.
8. “Seventy-five dollars of the fine imposed under division (G)(1)(a)(iii), one hundred twenty-five dollars of the fine imposed under division (G)(1)(b)(iii), two hundred fifty dollars of the fine imposed under division (G)(1)(c)(iii), and five hundred dollars of the fine imposed under division (G)(1)(d)(iii) or (e)(iii) of this section shall be transmitted to the treasurer of state for deposit into the indigent defense support fund established under section 120.08 of the Revised Code.” 4511.19(G)(5)(f), RC.

Attachment 1

Distribution of Fine Monies

In addition to Chapters 4511 and 4513, Ohio Rev. Code, "state traffic laws", within the meaning of Ohio Rev. Code Section 307.515, also includes the following enumerated Ohio Rev. Code sections and any successor similar statutes hereafter enacted. (*State Ex. rel. Akron Law Library Ass'n v. Swanson*, 9th District Court of Appeals, C.A. No. 8288, June 29, 1977). It may be necessary to consult your statutory legal counsel for determining as to whether any similar statutes enacted after the *Swanson* decision come within the meaning of "State traffic laws" as used in Ohio Rev. Code Section 3375.53.

Chapter 4503

4503.05	<u>Chapter 4510</u>	<u>Chapter 5728</u>
4503.21	4510.41	5728.04
4503.23		
4503.231	<u>Chapter 4511</u>	<u>Chapter 5577</u>
4503.30	4511.203	All Sections ¹
4503.301		
4503.31	<u>Chapter 4519</u>	<u>Chapter 5589</u>
4503.311	4519.40(A)	5589.08
4503.32		5589.081
4503.33	<u>Chapter 4549</u>	
	4549.01	<u>Chapter 2903</u>
<u>Chapter 4505</u>	4549.02	2903.06
4505.18(A)	4549.08	
	4549.10	<u>Chapter 2913</u>
<u>Chapter 4507</u>	4549.11	2913.03
4507.02	4549.12	
4507.31	4549.18	

1. "State traffic laws" as used in Section 5577 do not include:
 - a. Weight violations under Ohio Rev. Code Sections 5577.071 or 5577.08;
 - b. Bridge weight violations under Ohio Rev. Code Section 5577.09 or
 - c. Capacity violations under Ohio Rev. Code Section 5591.42.

"All fines collected pursuant to these code sections are required to be paid to the county treasury, to be credited to any fund for the maintenance and repair of roads, highways, bridges or culverts." [Ohio Rev. Code Section 5577.99(B)]. Ohio Rev. Code Section 5577.99(B) is unclear as to whether all fine money collected pursuant to Ohio Rev. Code Section 5571.99 or only fine money collected pursuant to division (B) of Ohio Rev. Code Section 5577.99, is subject to payment to the fund for the maintenance of roads, highways, bridges or culverts. Therefore, it may be necessary to consult your statutory legal counsel for its interpretation of the proper distribution of fines received for violations of the divisions of Ohio Rev. Code Section 5577.99 other than division (B).

Attachment 2

- "State traffic laws" as used in this section do not include Ohio Rev. Code Section 4513.263(B), which requires drivers and passengers to wear seat belts. All fines collected for violations of this statute, or for violations of any ordinance or resolution of a political subdivision that is substantially comparable to Ohio Rev. Code Section 4513.263(B), shall be forwarded to the Treasurer of State. [Ohio Rev. Code Section 4513.263(E) and 4513.35(A)(1)]
- "State traffic laws" as used in this section do not include the distribution of the license reinstatement fee required by Ohio Rev. Code Section 4511.191(L), which shall be deposited in the state treasury and credited in accordance with Ohio Rev. Code Section 4511.191 (L).
- All fines imposed pursuant to Division (H)(1) or (2) of Ohio Rev. Code Section 4511.99 for violating Ohio Rev. Code Section 4511.81(A) & (B) (child restraint system) shall be forwarded to the Treasurer of State for deposit in the "Child Highway Safety Fund" created by Division (G) of Ohio Rev. Code Section 4511.81. [4511.99(H)(3), Ohio Rev. Code]

Attachment 3

PROCEDURES FOR REDISTRIBUTION OF FINE MONIES PURSUANT TO OHIO REV. CODE SECTION 3175.56

Step 1: Pursuant to Ohio Rev. Code Section 3375.56, on the first Monday of each year, the Board of Trustees of the law library must send a detailed statement to the county auditor which lists the amounts and sources of fine monies received under Ohio Rev. Code Sections 3375.50 through 3375.53 inclusive. The statement should also contain a detailed listing of all fine money spent by the law library during the preceding year.

Step 2: If the total amount of fine money received by the law library during the preceding year exceeds the expenditures and encumbrances made during the year, the county auditor must certify such fact to the Board of Trustees of the law library.

Step 3: The total amount to be refunded by the law library is to be at least 90% of the total unexpended balance remaining from the previous year.

Step 4: The law library must refund to each contributing political subdivision an amount which bears the same proportion to the total amount of the unexpended and unencumbered balance as that political subdivision's original contribution bore to the total contributions made by all the political subdivisions.