

September 9, 2025

The Honorable Joseph R. Burkard
Paulding County Prosecuting Attorney
120 S. Walnut Street
Paulding, Ohio 45879

SYLLABUS:

2025-017

1. The total amount to be paid by the Paulding County Municipal Clerk to the county law library resources fund cannot exceed \$4,000 under R.C. 307.515(A) in any one calendar year from fines, penalties and forfeited bail, and \$1,200 for violations of R.C. Chapters 4301 and 4303.
2. There is no cap on the amount of monthly deposits to be made for violations of state traffic laws under R.C. 307.515(D). The treasurer of Paulding County or the treasurer of the municipal corporation collecting monies is required to make the required monthly deposit into the Paulding County legal resource fund. (2014 Ohio Atty.Gen.Ops. No. 2014-040, followed.)



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OPINION NO. 2025-017

The Honorable Joseph R. Burkard
Paulding County Prosecuting Attorney
120 S. Walnut Street
Paulding, Ohio 45879

Dear Prosecutor Burkard:

You have requested an opinion regarding the funding of the Paulding County Law Library Resource Board. Your specific questions are as follows:

1. Ohio Revised Code Section 307.515 directs money collected by the municipal court to be paid to the county law library resource board. Given the population of Paulding County, what amount of money collected by the municipal court is to be paid to the law library resource board?
2. Does Ohio Revised Code Section 307.515 cap (or limit) the annual amount the municipal court pays to the law library resource board?

For the reasons that follow, I find that, based on Paulding County's population, the total amount to be paid by

the Paulding County Municipal Clerk to the county law library resources fund cannot exceed \$4,000 under R.C. 307.515(A) in any one calendar year from fines, penalties and forfeited bail, and \$1,200 for violations of R.C. Chapters 4301 and 4303. There is no cap on the amount of monthly deposits to be made for violations of state traffic laws under R.C. 307.515(D). The treasurer of Paulding County or the treasurer of the municipal corporation collecting monies is required to make the required monthly deposit into the Paulding County legal resource fund. (2014 Ohio Atty.Gen.Ops. No. 2014-040, followed.)

I

Ohio law authorizes a Law Library Resource Board (LLRB) in each county to operate a law library. R.C. 307.51. The methods for collecting fines and bail forfeitures and depositing the money with the LLRB are prescribed by Ohio law in R.C. 307.515. Each LLRB is required to “provide legal research, reference, and library services to the county and to the municipal corporations, townships, and courts within the county.” R.C. 307.51(B); *see also* 2010 Ohio Atty.Gen.Ops. No. 2010-014, at 2-94. R.C. 307.514 creates a county law library resources fund in each county treasury that is entitled to receive money from several sources. As an opinion by one of my predecessors noted:

The fund receives revenue required to be deposited into the fund pursuant to R.C. 307.51(D)(1), including fees for law library services, and gifts or bequests made to the fund. R.C. 307.514. Revenue appropriated to the LLRB by the board of county commissioners from the county general fund is also deposited in the county law library resources fund. R.C. 307.513; R.C. 307.514. The fund also receives ‘all revenue that is required to be deposited into the fund pursuant to . . . [R.C. 307.515].’

2014 Ohio Atty.Gen.Ops. No. 2014-040, Slip Op. at 2; 2-355.

You have inquired about the financial obligations of the municipal court only. These obligations are governed by R.C. 307.515(A) and (D). Divisions (B) and (C) of R.C. 307.515 are irrelevant to this opinion. Legislation effective January 1, 2020, created a new Paulding County Municipal Court with a full-time judge and county-wide jurisdiction, replacing the prior municipal court and Paulding County Court. 2017 Am.H.B. No. 215. Because Paulding County no longer has a county court, R.C. 307.515(B) does not apply. Your question is about the obligations of this Municipal Court only, so it is not necessary to address the obligations of the

common pleas and probate courts which are detailed in R.C. 307.515(C).

The specific amounts that must be deposited into the fund pursuant to R.C. 307.515 must be calculated with reference to the county population, separating out the sums paid for violations of state traffic laws from other offenses. These two inquiries are related; I will address them jointly.

II

The central issue is the calculation of deposits pursuant to divisions (A) and (D) of R.C. 307.515. R.C. 307.515(A) requires clerks of municipal courts to deposit moneys into the county law library resources fund, in part, as follows:

(A) All fines and penalties collected by, and moneys arising from forfeited bail in, a municipal court for offenses and misdemeanors brought for prosecution in the name of a municipal corporation under one of its penal ordinances, where there is in force a state statute under which the offense might be prosecuted, or brought for prosecution in the name of the state, except a portion of those fines, penalties, and moneys that, plus all costs collected monthly in those state cases, equal the

compensation allowed by the board of county commissioners to the judges of the municipal court, its clerk, and the prosecuting attorney of that court in state cases, shall be retained by the clerk of that municipal court and shall be deposited by the clerk each month in the county law library resources fund that is created under section 307.514 of the Revised Code in the county in which that municipal corporation is located.

Division (A) also sets a cap on deposits from the fines, penalties, and forfeited bail money described above. In relevant part, the law states:

The total amount paid under this section in any one calendar year by the clerks of all municipal courts in any one county to the county law library resources fund shall in no event exceed the following amounts:

(1) In counties having a population of fifty thousand or less, seventy-five hundred dollars and the maximum amount paid by any of such courts shall not exceed four thousand dollars in any calendar year.

Paulding County has a population of 18,806, according to the 2020 federal census. United States Census Bureau, U.S. Department of Commerce, U.S. Census Bureau, census.gov (accessed Aug. 27, 2025) [<https://perma.cc/L4F2-FU5J?type=standard>]. Because there is only one municipal court in Paulding County and because Paulding County's population is less than fifty thousand, the maximum paid under R.C. 307.515(A) cannot exceed four thousand dollars.

R.C. 307.515(D) then requires the treasurer of the county or the treasurer of a municipal corporation to make the following deposits into that same fund:

(D) In each county, the treasurer of the county or the treasurer of the municipal corporation shall deposit monthly fifty per cent of all fines and penalties collected by, and fifty per cent of moneys arising from forfeited bail in, any court in that county for offenses brought for prosecution under Chapters 4301. and 4303. of the Revised Code and the state traffic laws in the county legal resources fund in that county that is created under section 307.514 of the Revised Code. The sum so deposited in that fund by each treasurer shall not exceed twelve hundred dollars per annum under Chapters 4301. and 4303. of the Revised Code, and when that

amount has been deposited in that fund in accordance with this section, then no further deposits shall be required under this section in that calendar year from those treasurers.

III

You next asked whether there is a limit on the amounts required to be deposited under this statutory scheme. R.C. 307.515(D) specifically addresses the distribution of proceeds from fines for violations of state traffic laws and violations of state liquor laws (R.C. Chapters 4301 and 4303). It specifically caps the “sum so deposited” at \$1,200. 307.515(D). For reasons explained next, that limit only applies to funds derived from violations of state liquor laws and not those of state traffic laws.

As explained in my predecessor’s 2014 opinion, “R.C. 307.515(D) does not impose a limit ... upon deposits of state traffic law moneys by the treasurer of a municipal corporation to the county law library resources fund.” 2014 Ohio Atty.Gen.Ops. No. 2014-040, Slip Op. at 4; 2-357 to 2-358. The caps discussed under R.C. 307.515(A) should not be conflated with R.C. 307.515(D). R.C. 307.515(A) “does not refer to deposits made by the *treasurer of a municipal corporation*.” Moreover, “The language of [R.C. 307.515(A)(3)] does not refer to deposits for *state traffic law moneys* nor does it refer to R.C. 307.515(D).” (Emphasis added.) *Id.*, Slip Op. at 4-5; 2-358. That means, as my predecessor concluded, there is no limit to the state traffic

law moneys to be deposited by the treasurer of a municipal corporation in a county law library resources fund.

The \$1,200 cap does apply, however, to funds derived from violations of state liquor laws. Previous attorney general opinions, and the Supreme Court in *State ex rel. Bd. of Trustees of the Akron Law Library Assn. v. Vogel*, 169 Ohio St. 243, 249 (1959) interpreted division (D) of R.C. 307.515 (and its predecessor R.C. 3375.53) as containing two sentences with separate requirements. The requirement of the first sentence is clear enough:

In each county, the treasurer of the county or the treasurer of the municipal corporation shall deposit monthly fifty per cent of all fines and penalties collected by, and fifty per cent of moneys arising from forfeited bail in, any court in that county for offenses *brought for prosecution under Chapters 4301. and 4303. of the Revised Code and the state traffic laws* in the county legal resources fund in that county that is created under section 307.514 of the Revised Code. (Emphasis added.)

The second sentence in R.C. 307.515(D) benefits from a more careful reading. It establishes a maximum

limit only on the amount required to be deposited from money collected for liquor law violations under R.C. Chapters 4301 and 4303 – but not from state traffic law violations. Thus, that sentence must be understood as if the text bracketed below was part of the statute:

The sum so deposited in that fund by each treasurer shall not exceed twelve hundred dollars per annum under Chapters 4301. and 4303. of the Revised Code, and when that amount has been deposited in that fund in accordance with this section, then no further deposits [*under R.C. Chapters 4301 and 4303*] shall be required under this section in that calendar year from those treasurers.

R.C. 317.515 has not been amended since 2013. Thus, there has been no development in the law to alter the conclusion of the 2014 attorney general opinion that “no . . . limit is imposed upon state traffic law moneys required to be deposited by R.C. 307.515(D) in a county law library resources fund by the treasurer of a municipal corporation.” 2014 Ohio Atty.Gen.Ops. No. 2014-040, Slip Op. at 5; 2-358 to 2-359. Without a statutory change or development in the case law, I find no reason to reach a conclusion different from that in the 2014 opinion.

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In sum, although the formula to establish amounts due under R.C. 307.515(A)(1) does cap deposits at \$4,000, and R.C. 307.515(D) caps deposits for violations of state liquor laws at \$1,200, deposits for violations of state traffic laws are not capped.

Conclusion

Accordingly, it is my opinion, and you are hereby advised that:

1. The total amount to be paid by the Paulding County Municipal Clerk to the county law library resources fund cannot exceed \$4,000 under R.C. 307.515(A) in any one calendar year from fines, penalties and forfeited bail, and \$1,200 for violations of R.C. Chapters 4301 and 4303.

2. There is no cap on the amount of monthly deposits to be made for violations of state traffic laws under R.C. 307.515(D). The treasurer of Paulding County or the treasurer of the municipal corporation collecting monies is required to make the required monthly deposit into the Paulding County legal resource fund. (2014 Ohio Atty.Gen.Ops. No. 2014-040, followed.)

Respectfully,

A handwritten signature in blue ink, reading "Dave Yost". The signature is fluid and cursive, with the first name "Dave" and last name "Yost" clearly distinguishable.

DAVE YOST
Ohio Attorney General