



# Ohio Prosecuting Attorneys Association

Legislative Newsletter – 134<sup>th</sup> General Assembly

February 1, 2021



## NEWS

[Athlete Sentenced for Assaulting Referee – Sparks Push for Legislation](#)

[No More Death Penalty for Those With Severe Mental Illness in Ohio](#)

[Ohio Lawmakers Seek Power to Override Executive Health Orders](#)

[Ohio Supreme Court to Hear Case Challenging Reagan's Law](#)

[Gavarone Introduces Bill Improving Access to Mental Health](#)

[Ohio Supreme Court to Decide Limits on Marsy's Law in Kidnapping, Rape Trial](#)

## Introduced

[Senate Bill 2](#) (Competency Evaluations) sponsored by Sen. Gavarone generally prohibits a court from ordering a criminal defendant to undergo an inpatient competency evaluation at a facility operated or certified by the state, unless the defendant is charged with a felony or offense of violence or unless the court determines that the defendant is in need of immediate hospitalization. The OPAA has no position on this legislation.

[Senate Bill 16](#) (Penalties - Emergency Service Responders/Public Servants) sponsored by Sen. Schaffer increases the penalties for assault and felonious assault of an emergency service responder or public servant, modifies the offense of intimidation when it involves an emergency service responder or public servant, and requires that prison terms for aggravated arson and arson involving damage to the property of an emergency service responder or public servant be served consecutively to any sentence imposed for a related offense. The OPAA supports this legislation.

[Senate Bill 23](#) (Illegally Passing School Bus) sponsored by Sen. Gavarone provides that when a school bus driver believes that a motorist has illegally passed a school bus in violation of R.C. 4511.75, the bus driver's allegations can be corroborated by an image or video corroborated by a school bus camera and that law enforcement may use such images to determine the identity of the passing motorist. Creates a process for imposing a civil penalty when a driver cannot be identified. The OPAA supports this legislation.

[Senate Bill 25](#) (Drug Trafficking – Addiction Services Provider) sponsored by Sen. Gavarone increases the penalty for drug trafficking by one degree if the offense takes place within 1,000 feet of a substance addiction services provider. The bill also creates an offense that prohibits the manufacture, sale, distribution or possession of synthetic urine when there is reasonable cause to believe that it will be used to defraud a drug screening and prohibits the use of synthetic urine or another person's urine to defraud a drug screening. The OPAA supports this legislation.

## Supreme Court Rules of Practice and Procedure

The Supreme Court is seeking comment on [proposed changes](#) to the Rules of Criminal Procedure (11, 19, 31, 33, and 41), the Ohio Rules of Appellate Procedure (4 and 21), the Ohio Rules of Evidence (601) through Feb. 27<sup>th</sup>.

For a complete list of bills that the OPAA is tracking and OPAA positions on legislation, please visit [www.ohiopa.org](http://www.ohiopa.org).