



# Ohio Prosecuting Attorneys Association

## Legislative Newsletter

March 26, 2018

### IN THE NEWS

[State House Targets Speed Cameras](#)

[Death Penalty Indictment Filed in Slayings of Westerville Officers](#)

[Bill Would Crack Down on "Rehoming"](#)

[Judges, Ohio Prison System at Odds Over Bed Reduction Plan](#)

[How Local Man Beat Heroin: "I Had to Change Everything"](#)

[ACLU of Ohio Pans Latest Version of Bail Reform Legislation](#)

[Sensing Opportunity, Lawyers Descend on Counties Hard Hit by Opioid Crisis](#)

### Bills Heard in Committee

[House Bill 394](#) (Juvenile Reform) sponsored by Rep. Rezabek received a second hearing in House Criminal Justice on March 20. A substitute bill was adopted. The substitute bill eliminates mandatory bindovers, mandatory SYOs, and creates special parole eligibility dates for persons sentenced to an indefinite sentence as juveniles. See attached document for an outline of the changes in the bill.

[House Bill 365](#) (Indefinite Sentencing) sponsored by Reps. Boggs and Hughes received a fifth hearing in House Criminal Justice on March 13. A substitute bill was adopted. The substitute bill maintains a mechanism for the early release of an offender but places that decision in the hands of the sentencing judge. The judge may deny the sentence reduction without a hearing or schedule a hearing. As Introduced, the bill placed decisions regarding early release within the sole discretion of DRC.

[House Bill 439](#) (Bail Reform) sponsored by Reps. Dever and Ginter received a third hearing in House Criminal Justice on March 20. A substitute bill was accepted on March 13. The substitute bill requires courts to consider the results of a validated risk assessment tool when making bail determinations. The results of the tool are to be considered in addition to all other current factors. A companion bill, Senate Bill 274, was introduced in the Senate by Sen. McColley.

[House Bill 30](#) (Permanent Disabling Harm) sponsored by Rep. Koehler was reported out of House Criminal Justice on March 20. The bill was amended to require an additional prison term of six years for an offender who is convicted of felonious assault and a specification charging that the victim suffered permanent disabling harm and was less than ten years old at the time of the offense.

### Recently Introduced Legislation

[House Bill 561](#) (Spousal Exceptions – Sex Crimes) sponsored by Reps. Boggs and Lanese would eliminate the spousal exceptions for the offenses of rape, sexual battery, unlawful sexual conduct with a minor, gross sexual imposition, sexual imposition, and importuning. It would also permit a person to testify against the person's spouse in a prosecution for any of those offenses.

[House Bill 568](#) (Moving Violation – Serious Physical Harm) sponsored by Rep. Butler would authorize law enforcement to arrest someone if there is probable cause to believe the person's moving violation was a contributing factor in a motor vehicle accident that caused serious physical harm to or the death of another person.

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).