



Ohio Prosecuting Attorneys Association

Legislative Newsletter – 133rd General Assembly

November 25, 2019



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OPAA NEWS

Join the OPAA on
Monday, December 23
for an end of year
webinar worth 1 hour
of professional conduct
credit.

Introduced

Senate Bill 237 (Self-Defense) sponsored by Sen. Terry Johnson provides for pretrial immunity based on a claim of self-defense and that the filing of a motion for immunity establishes a prima facie claim of self-defense that may be disproved by the state by clear and convincing evidence, repeals the duty to retreat, specifies exceptions to the affirmative defense of self-defense, and provides for the use of force to prevent or halt a "forcible felony." This is companion legislation to House Bill 381.

Senate Bill 239 (Sexting) sponsored by Sen. Nathan Manning creates the offense of sexting to prohibit the purposeful creation, production, distribution, presentation, transmission, posting, exchange, dissemination, or possession of sexually explicit digital material when the person is not more than four years older than the minor depicted and provides that a violation is an M1. It also requires courts to utilize a sexting diversion program.

House Bill 403 (Transitional Control) sponsored by Reps. Hillyer and Galonski eliminates the judicial veto of transitional control placement for offenders serving two years or less.

House Bill 415 (Prostitution Proceeds) sponsored by Rep. Jena Powell creates the offense of receiving proceeds from prostitution and provides that a violation is an F3. If the prostitute was under 18, a violation is an F2.

Reported Out of Committee

House Bill 33 (Animal Abuse Reporting) sponsored by Reps. Lanese and Carruthers was reported out of the House Criminal Justice Committee on November 21. The bill establishes animal abuse reporting requirements for certain people and provides that a failure to report is an M4.

Passed by Senate

Senate Bill 18 (Confining Pregnant Offenders) sponsored by Sens. Antonio and Lehner was passed by the Senate on November 13. The bill prohibits the restraint or solitary confinement of pregnant offenders subject to certain exceptions.

For a complete list of bills that the OPAA is tracking and OPAA positions on legislation, please visit www.ohiopa.org.