



# Ohio Prosecuting Attorneys Association

## Legislative Newsletter

November 19, 2018



### IN THE NEWS

[Grandmothers Accused in Pike County Have Day in Court](#)

[Stand Your Ground Law Comes Off Shelf in Lane Duck](#)

[Loughin's Mother Urges Passage of Sierah's Law](#)

[Moving on From Issue 1 Should Be Legislature's Job One](#)

[GOP Legislative Leaders Eye Tougher Standards for Ballot Issues](#)

### OPAA NEWS

The OPAA Annual Meeting is November 29 – 30 at the Hilton Downtown Columbus.

We hope to see you there!

### Bills on the Move

[House Bill 411 \(Wrongful Imprisonment Compensation\)](#) sponsored by Rep. Bill Seitz and Rep. Emilia Sykes received a second hearing with proponent testimony in Senate Judiciary. The bill was amended at a September hearing to clarify the offset for federal 1983 judgments and clarify the court in which the claim must be filed.

[House Bill 228 \(Burden of Proof – Self-defense\)](#) sponsored by Rep. Johnson and Rep. LaTourette passed the House on November 14, 2018 by a vote of 64 – 26 along party lines. The so-called “stand your ground” bill shifts the burden of proof to the prosecution to disprove self-defense beyond a reasonable doubt, eliminates the duty to retreat, and makes other changes to Ohio gun law.

[House Bill 147 \(Humane Society Agents\)](#) sponsored by Rep. Hambley passed the House. The bill updates the law regarding humane society agents. The bill prohibits a humane society from entering into a non-prosecution agreement with a person for an alleged violation of law unless the agreement has been approved by the municipal or county court judge.

[House Bill 598 \(Tax Forfeited Land Sales\)](#) sponsored by Rep. Green and Rep. West passed the House. The bill grants county auditors more discretion regarding the sale of tax forfeited lands and expressly immunizes counties from civil liability in connection with such lands.

[Senate Bill 323/House Bill 719 \(Sexual Assault Kit Tracking\)](#) companion bills sponsored by Sen. Kunze and Rep. Pelanda received first hearings in their respective chambers. The bills require the Attorney General to create and maintain a statewide tracking system for the processing of sexual assault examination kits.

### Recently Introduced

[House Bill 767 \(Office of Drug Policy\)](#) sponsored by Rep. Brown would establish the Governor's Office of Drug Policy.

[House Bill 759 \(Ballot Photography\)](#) sponsored by Rep. Antani and Rep. Duffey would allow an elector to photograph and make public the elector's marked ballot if the photograph is for personal use.

### Legislative Response to Issue 1

Discussions have already started in the legislature about legislation to address some of the concepts of Issue 1. Last week, a Sentencing Commission workgroup recommended, as a starting point, a proposal similar to the Criminal Justice Recodification Committee's proposed drug chapter.

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).