



Ohio Prosecuting Attorneys Association

Legislative Newsletter

February 20, 2024



IN THE NEWS

[A Judge Has Blocked Enforcement of Ohio Law Limiting Kids Use of Social Media](#)

[Should Ohio Appeals Courts Hold the Power to Change Criminal Sentences](#)

[New Ohio Death Penalty Bill Would Criminalize Sharing Execution Information With the Public](#)

[Recreational Marijuana is Legal in Ohio but Sales Are Still Months Away](#)

OPAA NEWS

OPAA's Spring Training is April 18-19 at a new location – Hilton Polaris outside Columbus.

Introduced

[House Bill 385/Senate Bill 214](#) (Human Trafficking Victim Expungement) sponsored by Reps. Richardson (R – Marysville) and Williams (R – Toledo, and Sen. Kunze (R – Columbus) expands current law regarding record expungement for victims of human trafficking to allow anyone convicted of a misdemeanor, F5 or F4 offense to have those records expunged if they demonstrate by clear and convincing evidence that the offense was related to the applicant's victimization. These applicants do not need to have a conviction for soliciting, loitering to engage in solicitation, or prostitution.

[House Bill 392](#) (Death Penalty – Method of Execution/Confidentiality) sponsored by Reps. Stewart (R – Ashville) and Plummer (R – Dayton) adds nitrogen hypoxia as a method of execution and prohibits the disclosure of execution identifying information.

[House Bill 401](#) (Deepfake Distribution) sponsored by Reps. K. Miller (R – Newark) and Demetriou (R – Bainbridge Twp.) prohibits the distribution, creation with intent to distribute, and soliciting the creation of a "deepfake" in order to harass, extort, threaten, or harm another individual.

[Senate Bill 217](#) (Artificial Intelligence – Child Pornography) sponsored by Sens. Blessing (R – Cincinnati) and Johnson (R – McDermott) among other things prohibits making, transmitting, buying, procuring, possessing, or controlling any "simulated obscene material," defined as any visual depiction of a minor or impaired person, including an image generated by artificial intelligence, that would constitute a violation of R.C. 2907.321, 2907.322, or 2907.323 if the minor depicted was a natural person. Also prohibits using a replica of a person's persona or artificial intelligence to commit specified acts related to identity fraud.

[Senate Bill 223](#) (Organized Retail Theft) sponsored by Sens. Lang (R – West Chester) and Rulli (R – Salem) is companion legislation to [House Bill 366](#) that was introduced in December. The bills create an organized retail theft task force within OCIC, creates the offense of organized retail theft, raises the penalty for criminal mischief to an F3 when the property is a retail pump or EV charging station, specifies that theft of mail is a minimum of an F5 offense, amends the counterfeiting statute to prohibit using a scanning device or encoding machine, and makes changes to corrupt activity.

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