



Ohio Prosecuting Attorneys Association

Legislative Newsletter, 2018

May 21, 2018

IN THE NEWS

[Justices Decide to Keep Grand Jury Testimony Secret – For Now](#)

[Tokes Family Sues State, Claims Negligence Resulted in Reagan's Death](#)

[Teen Sentenced to 11 Years in Prison for Fatal Robbery](#)

[Can a Judge Solve the Opioid Crisis?](#)

[South Dakota Could Be First to Tweak Marsy's Law](#)

[Bryan Corbett: Fix Law that Compensates Wrongfully Convicted](#)

OPAA NEWS

Registration for the OPAA Summer Workshop, June 22 – 23 is Open. We hope to see you there!

Bills on the Move

[House Bill 81](#) (Death Sentence – Mental Illness) sponsored by Reps. Antonio and Seitz. A substitute bill modifies the criteria for finding that a person has a “serious mental illness” by removing the criterion to exclude an offender from the death penalty if the illness affected their capacity to “exercise rational judgment” in relation to their conduct. The substitute bill also eliminates the rebuttable presumption in favor of the defendant and removes the possibility of presenting SMI evidence to the jury if the court finds after a pretrial hearing that the illness did not impair capacity.

[House Bill 394](#) (Juvenile Justice Reform) sponsored by Rep. Rezabek. A second substitute bill was accepted that would make all bindovers, with the exception of aggravated murder, discretionary. It would make all SYOs, with the exception of cases transferred back to juvenile court on a “reverse bindover,” discretionary, and provides for special parole eligibility for persons under age 18 who are sentenced as adults.

[House Bill 585](#) (Firearm Law) sponsored by Rep. Henne was amended to restore a person’s authority to seek relief from a weapons disability. The bill expands the offenses that subject someone to a weapons disability to mirror federal law and creates a process by which certain individuals can seek an “extreme risk protection order.”

[House Bill 425](#) (Body Worn Cameras) sponsored by Rep. Antani excludes specified portions of peace officer body worn camera recordings from public records law. The bill was amended to also exclude specified portions of dashboard camera recordings.

[House Bill 296](#) (Drug Trafficking – Addiction Services Centers) sponsored by Rep. Gavarone enhances penalties for drug trafficking in the vicinity of addiction services centers. The bill was reported out of the House Criminal Justice Committee.

[Senate Bill 268](#) (Theft in Office Penalties) sponsored by Sen. Wilson increases the penalties for theft in office based on the amount stolen. The bill passed the Senate.

[Senate Bill 171](#) (Protection Order Violation Penalties) sponsored by Sen. Hottinger increases the penalties for the offense of violating a protection order. The bill targets offenders who have been convicted of violating a protection order, or related offenses, on multiple occasions. The bill passed the Senate.

[House Bill 543](#) (Regional Airport – Legal Representation) sponsored by Rep. Perales authorizes prosecuting attorneys to enter into contracts with regional airport authorities, port authorities, or regional planning commissions to be their legal adviser. The bill was reported out of House State and Local Government Committee.

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