



Ohio Prosecuting Attorneys Association

Legislative Newsletter

May 22, 2023



IN THE NEWS

[Ohio's Death Penalty Takes a Holiday](#)

[Committee Debates Abolishing Death Penalty](#)

[New Ohio Law Clears Path for Sealing, Expunging Old Criminal Records](#)

[Catalytic Converter Thefts Rising: How Lawmakers Are Taking a Stand](#)

[Ohio Step Closer to Allowing 18-year Olds to Be Police Officers](#)

OPAA NEWS

The OPAA Summer Workshop at Cedar Point is June 23 – 24. Registration Will Open Soon.

Introduced

[Senate Bill 122 \(Bail Procedures\)](#) sponsored by Sens. Manning (R – North Ridgeville) and Hicks-Hudson (D – Toledo) would enact what is currently Criminal Rule 46 as R.C. 2937.011. The Supreme Court of Ohio recommended the repeal of Crim. R. 46 effective July 1.

[House Bill 161 \(Eliminate Spousal Exceptions – Sexual Assault\)](#) sponsored by Reps. Miranda (D – Cincinnati) and Hillyer (R – Urichsville) eliminates the spousal exceptions for the offenses of rape, sexual battery, unlawful sexual conduct with a minor, gross sexual imposition, sexual imposition, and importuning and permits a person to testify against the person's spouse in a prosecution for any of those offenses.

[House Bill 168 \(Adult Use Marijuana\)](#) sponsored by Reps. Callender (R – Concord) and Weinstein (D – Hudson) authorizes adult use marijuana.

[House Bill 157 \(Bureau of Hate Crimes\)](#) sponsored by Reps. Weinstein (D – Hudson) and Somani (D – Dublin) creates the Bureau of Hate Crimes in the AG's office and authorizes the Attorney General to prosecute any crime that the Attorney General has reasonable cause to believe is a hate crime.

[House Bill 175 \(Firearm Safe Storage\)](#) sponsored by Reps. Miranda (D – Cincinnati) and Brewer (D – Cleveland) requires the secure storage of firearms and requires law enforcement and prosecutors to create reports about incidents involving the discharge, unlawful carrying, or brandishing of a firearm by a minor.

Amended

[House Bill 101 \(Village Dissolution\)](#) sponsored by Reps. Bird (R – New Richmond) and Schmidt (R – Miami Twp.) was amended to remove the prosecutor from the 'transition supervisory board' that is created by the bill to oversee village dissolutions. The bill was voted out of committee on May 16.

Supreme Court Rules of Practice and Procedure

The Supreme Court [submitted final rules changes](#) to the General Assembly on April 27. The changes go into effect on July 1 unless rejected by concurrent resolution of disapproval. Amendments are being made to Criminal Rules 1, 2, 4, 6, 9, 10, 12, 15, 19, 40, 43, and 46, Evidence Rules 101, 601, 607, 609, and 616, Juvenile Rules 1, 2, 7, 8, 18, 30, 34, 35, 40, and 41, and Civil Rules 1, 1.1, 4.1, 4.6, 10, 26, 30, 33, 36, 37, 39, 43, 45, 53, 57, 65.1, 73, 75.

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