



Ohio Prosecuting Attorneys Association

Legislative Newsletter – 134th General Assembly

September 7, 2021



IN THE NEWS

[District Attorney's Report Ties Harris County's \(Texas\) Rise in Crime to Bail Reform](#)

[Judge: I'm Ready to Save Lives with Addiction Treatment Under Updated Casey's Law](#)

[Ohio Marijuana Legalization Backers Get OK to Collect Signatures](#)

[Justice Michael P. Donnelly Admonishes 'Sentencing by Ambush'](#)

OPAA NEWS

The OPAA Fall Training is September 23 – 24 at the Crowne Plaza Cleveland at Playhouse Square.

Introduced

[House Bill 406](#) (Voyeurism) sponsored by Rep. Schmidt makes changes to voyeurism. The bill repeals the requirement in R.C. 2907.08(B) and (C) to prove that the voyeurism was for the purpose of sexual arousal or gratification and would instead require that the voyeurism take place in a place where the victim has “a reasonable expectation of privacy” and for the purpose of viewing the “private areas” of that person. In addition, the bill increases the penalties for voyeurism for repeat offenders by one degree for a second conviction and by another degree for a third or subsequent conviction.

[House Bill 408](#) (Catalytic Converter Theft) sponsored by Rep. Bob Young increases penalties for theft and receiving stolen property when the goods stolen or received are catalytic converters. Theft of a catalytic converter is an F5. If the person previously has been convicted of any violation of Chapter 2911, 2913, or 2923, theft of a catalytic converter is an F4. If the offender is a business entity, they are subject to a fine of \$10,000 - \$50,000. The legislation also includes catalytic converters within the definition of “special purchase article” for the purpose of scrap metal dealers and others licensed under Chapters 4737, 4738, or 4775 of the Revised Code and requires a license for the sale of catalytic converters in bulk.

[Senate Bill 223](#) (Sealing of Dismissed Charges) sponsored by Sen. Antani establishes a process by which a person can have charges that were dismissed after successful completing of Intervention in Lieu of Conviction dismissed when those charges were connected to an OVI conviction. The bill authorizes a person who has had charges dismissed due to successful completion of ILC to apply, after one year following the completion of ILC, to have the dismissed charges sealed. The application must include a “proposed redacted version” of all files associated with the case to sealed and, if so ordered, the court must include redacted versions of all records associated with the case to be sealed or detailed instructions specifying how those records are to be redacted. The clerk of court must create a subfile with a new index reference to the unredacted/unsealed portion of the case.