



February 1, 2021

***In Case You Missed It:***

[Ohio Chief Justice Again Calls for Eliminating Party Affiliation on Judicial Ballots; cleveland.com, January 21, 2021](#)

[Ohio's Quick Pardon Program Off to a Slow Start; Journal-News, January 21, 2021](#)

[How to Address COVID-Caused Criminal Case Backlogs; NAPCO, January 22, 2021](#)

[Ohio Public Health Orders](#)

*The Ohio Judicial Conference is dedicated to serving all Ohio judges.*

## Legislative News: Two-Week Review

- [SB 2](#) (Sen. Gavarone) **Restoration to Competency**, introduced 1.26.21. The bill prohibits a court from ordering a criminal defendant to undergo inpatient competency evaluations at certain facilities operated or certified by the state, unless the defendant is charged with a felony or offense of violence or unless the court determines that the defendant needs immediate hospitalization.
- [SB 8](#) (Sen. McColley) **Broadband Expansion**, introduced 1.21.21. The bill addresses access to electric cooperative easements and facilities; it establishes procedures and remedies for an electric cooperative or provider to settle pole attachment disputes in a court of common pleas.
- [SB 13](#) (Sen. Lang) **Contract Statutes of Limitations**, introduced 1.21.21. The bill shortens the period of limitations for actions upon a contract and it establishes a statute of repose for a legal malpractice action.
- [SB 16](#) (Sen. Schaffer) **Emergency Service Responders**, introduced 1.26.21. The bill creates a civil action for emergency responders who are falsely accused of bad behavior or who have their civil rights abridged. The bill also alters the offense of felonious assault (RC 2903.11) by making it an F1 in cases where the offender committed the violation because a person actually is or is perceived to be an emergency service responder or public servant (or is a family or household member or co-worker of an emergency service responder or public servant). Under the bill, the sentence for a violation must run consecutively to any other sentences.
- [SB 25](#) (Sen. Gavarone) **Increased Trafficking Penalties and Defrauding Drug Test**, introduced 1.26.21. The bill enhances penalties for certain drug trafficking offenses, if committed in the vicinity of a substance addiction services provider. The bill also prohibits defrauding an alcohol or drug test.
- On 1.20.21, the **CDC's eviction moratorium was extended until 3.31.21**. On 1.25.21, Ohio's Office of Budget Management requested \$100 million in a new fund of money from the Consolidated Appropriations Act of 2021; of that money, \$45 million would go toward rent assistance, \$45 million toward utility assistance, and \$10 million towards operating expenses.
- On 1.27.21, the Ohio Supreme Court heard oral arguments in [State of Ohio v. Theodis Montgomery Case No. 2020-0312](#) a case concerning **Marsy's Law** and the rights of victims. At trial, the victim, who was also a witness, sat at the table with the prosecution. Montgomery argued that the victim's placement at the prosecutor's table was highly prejudicial and that it created the impression to the jury that the victim's testimony on the witness stand must be credible.
- In response to the recent decision by the Ohio Supreme Court, [2020-Ohio-6785](#), the Ohio Public Defender will immediately begin to accept, for purposes of reimbursement, the indigent defense costs in cases where a parent is facing a **termination of parental rights in probate court**. More information is available in a [memo from the OPD](#).
- Please visit the OJC website to get [Enactment News](#) of bills from the recently-concluded 133<sup>rd</sup> General Assembly and to view our [biennial report](#).

**For a complete list of bills & the latest issue of BillBoard, please visit the [OJC website](#).**



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