

Legislative News: Two Week Review



November 12, 2019

Legislation and Policy in the News:

[DeWine Hopes Stand
Your Ground is Not Part
of His Gun Violence Bill;](#)
[WOSU Media,](#)
[November 1, 2019](#)

[Hearings Start on Ohio
Governor Mike
DeWine's Gun Reform
Proposals; Toledo
Blade, November 6,
2019](#)

*The Ohio Judicial
Conference is dedicated to
serving all Ohio judges. It is
the voice of the judiciary
and the primary resource to
ensure the fair, unbiased,
open, and effective
administration of justice.*

- **HB 24** (Rep. Hambley) **Humane Society Agents**, passed out of the House, 10.29.19. The bill prohibits a humane society from entering into a written agreement not to prosecute a person unless the agreement has been approved by the judge that has presided over the hearing to determine whether to impound the animal(s). Any financial compensation, including bond, must be necessary and reasonable for the animal's care during the impoundment of the animal.
- **SB 55** (Sen. Gavarone) **Drug Penalties**, passed out of the House and sent to the Governor, 11.6.19. The bill increases penalties for most drug trafficking offenses if committed on or within 1,000 feet the premises of a substance addiction services facility, if the offender recklessly disregards the location of the offense.
- **HB 285** (Reps. Brent, Greenspan) **License Reinstatement Fee Amnesty**, passed out of the House, 11.6.19. The bill would make the License Reinstatement Fee Amnesty permanent; the amnesty started as a pilot in 132 HB 336, and was extended to the end of 2019 in 133 HB 166.
- **HB 381** (Reps. Hood, Keller) **Stand Your Ground**, introduced 10.23.19. The bill provides that a person who is not engaged in illegal activity and is lawfully present in a location has no duty to retreat before using or threatening to use reasonable force, including deadly force, in self-defense, defense of another, or defense of that person's residence, even if an alternative course of action is available. The bill grants immunity to a person who is found to be justified in using or threatening to use deadly force, and establishes procedures for a pretrial immunity hearing. In a tort action or criminal case, the bill provides that a person has a right to a pretrial immunity hearing – a person can file a motion for such a hearing, which a court is then required to hold. The court must rule for the movant unless the state (in a criminal case) or the plaintiff (in a tort action) shows that the immunity provided in this bill does not apply to the movant.
- The Supreme Court reconsidered and reversed its [State v. Braden](#) decision, in which it had originally ruled that **court costs cannot be retroactively waived**.
- The state of Ohio has filed a [memorandum in support of jurisdiction](#) in the Supreme Court in the case of *State v. Dowdy* (Case No. 2019-1430). That appellate court ruling is one of at least 15 cases in which it voided a homicide sentence. The state argues that an expansion of the **void sentencing doctrine** by appellate courts will prove to be costly and create emotional distress.
- The Supreme Court has updated its online information about [fingerprinting and criminal reporting requirements](#) with matrices for each jurisdiction, flowcharts of the reporting process, a list of offenses that require fingerprints to be taken, and resources on audit compliance standards. A webinar series (11.20.19, 1.14.20, and 2.26.20) will cover this information; contact Kyana.Pierson@sc.ohio.gov with questions.

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



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