

## Legislative News: Two-Week Review



March 29, 2021

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

[More Ohio Prisons Re-Opening for In-Person Visits; Columbus Dispatch, March 23, 2021](#)

[In wake of two mass shootings, Rob Portman slams Democrats' plan on background checks as 'too broad'; Cincinnati Enquirer, March 23, 2021](#)

[Ohio Public Health Orders](#)

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

- **SB 2** (Sen. Gavarone) **Incompetence to Stand Trial**, passed by the House, 3.25.21. The bill changes the requirements for competency evaluations and mental health treatment in criminal cases. The bill was amended in committee to remove a probate court's authority to issue a 72-hour emergency hold of a person suffering from substance abuse, which had just been enacted in last year's [HB 1](#) and has not yet gone into effect.
- **HB 74** (Rep. Oelslager) **Transportation Budget**, passed by the Senate, 3.24.21. The bill, among many other things, eliminates the requirement that an arresting law enforcement officer remove the license plates on a vehicle seized as part of an arrest for an OVI offense and, instead, requires the license plates to remain on the vehicle unless ordered removed by a court.
- **SB 138** (Sen. Williams) **Red-Flag Protection Orders**, introduced 3.17.21. The bill creates a process (under Sec. 2923.26) for a common pleas court to issue a red-flag protection order, based on an allegation that the would-be subject of the order poses a significant danger of causing personal injury to self or others by having access to a firearm. The bill disqualifies someone subject to a red-flag protection order from a gun license (a red-flag protection order would revoke a current license), and makes possession of a firearm while subject to a red-flag protection order an offense of having a weapon under disability. The BCI is charged with creating guidelines for red-flag protection orders to provide to courts, and some language is statutorily prescribed.
- **HB 210** (Reps. Denson, Upchurch) **Marijuana Possession**, introduced 3.16.21. The bill allows the cultivation and possession of marijuana. It also creates a process by which a person who had previously been convicted of a marijuana offense that would otherwise be decriminalized in the bill may seek to have the records of those convictions expunged. Although a hearing is required, as is the consideration of prosecutors' objections, expungement is required.
- Several [Rules of Superintendence changes](#) go into effect 4.15.21. The changes impact **protection orders** and involve [new forms](#).
- The OJC's [Court Technology Conference](#) is scheduled for 4.28.21. The Conference is virtual and registration online is currently open.
- The OJC's [Retired Judges Seminar](#) is scheduled for 4.22.21. The Conference is virtual and registration online is currently [open](#).
- ODRC has announced the FY22/23 T-CAP grant opportunity. Information is available [online](#).
- ODRC intends to amend [Ohio Administrative Rule 5120-2-04](#), which concerns an incarcerated individual's **jail time credit**. The changes are being made to conform to the Regan Tokes law and to recent Ohio Supreme Court decisions.

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



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