



October 14, 2019

**Legislation and Policy
in the News:**

[Prison Inspection
Committee Digging Out
From Backlog; Columbus
Dispatch, October 10,
2019](#)

[Gov. DeWine Rejects
Criticism Over His Gun
Policy Proposal; WOSU
Media, October 10, 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.*

Legislative News: Two Week Review

- Judges Hein and Washam developed a [model sentencing entry](#) for [SB 201 \(Reagan Tokes\)](#) cases.
- [SB 26](#) (Sen. Kunze) **Tax Credits**, passed by the House Finance Committee, 10.10.19. The bill concerns tax credits for teacher supplies, and was amended to include a restoration of a business income tax deduction for lawyers and lobbyists that had previously been removed in HB 166.
- [SB 205](#) (Sens. Hottinger, O'Brien) **Animal Cruelty**, introduced 9.30.19. The bill increases the penalties for cruelty to animals (from F5 to F3 or F4). It makes those crimes ineligible for sealing.
- [HB 350](#) (Rep. Hoops) **Animal Fighting and Bestiality**, introduced 9.26.19. The bill prohibits bestiality, arranging animal fighting, or attending an animal fighting event. The bill reenacts these provisions from [131 SB 331](#), which were severed as a violation of the single-subject rule.
- [HB 351](#) (Reps. Lepore-Hagan, Sobecki) **Termination of Rental Agreement**, introduced 9.26.19. The bill allows the victim of rape, attempted rape, or domestic violence the right to terminate a rental agreement with a landlord, under specific circumstances and within a specified time period.
- [HB 354](#) (Reps. Plummer, Swearingen) **Weapons Disability Portal**, introduced 10.1.19. The bill requires juvenile courts to expunge juvenile records at age 28 (instead of the current age 23); it expands the circumstances under which a person has a weapon under disability; it requires the creation of weapons disability data portal and imposes fines on courts that fail to comply with data submission requirements.
- [HB 362](#) (Reps. Lang, Plummer) **Masked Intimidation**, introduced 10.8.19. The bill creates the crime of masked intimidation, an M1. The bill prohibits wearing a mask or disguise in order to obstruct the execution of the law; to hinder a person in the performance of a legal duty; or to prevent a person from exercising constitutional rights.
- [HB 366](#) (Reps. Miranda, Plummer) **Child Enticement**, introduced 10.10.19. The bill adds the requirement of an "unlawful purpose" for the offense of child enticement.
- In **State v. Kernall** (2019-Ohio-3070), 7.31.19, the First District found that for purposes of R.C. 2929.15(B)(1)(c), a "**technical violation**" of a **community-control sanction** is a violation of any requirement which merely facilitates community-control supervision. An offender's significant failure to comply with any substantive rehabilitative community-control requirement that was specifically-tailored to the offender's underlying conduct is a nontechnical community-control violation. It is also a nontechnical community-control violation if the offender engages in a pattern of conduct that demonstrates a failure to comply with the community-control sanction as a whole.
- In **Kentucky v. Dickerson** (Civil Action No.. 19-CI-00425) the Supreme Court of Kentucky **disqualified a judge** because he "liked" a Facebook post supportive of one litigant (who is running for Governor) while a case before him concerned the election. When judges use social media they may have their impartiality reasonably questioned, requiring disqualification.

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



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