

Legislative News: Two-Week Review



May 1, 2023

In Case You Missed It:

[Supreme Court Names Statewide Task Force on Re-Entry with Judge Harnett as Chair; Court News Ohio, April 28, 2023](#)

[Recreational Marijuana Backers Prepare to Collect Signature as Legislative Deadline Looms without Action; Cleveland.com, April 28, 2023](#)

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

- **HB 33** (Rep. Edwards) **State Operating Budget**, passed out of the House, 4.26.23. The budget bill contains some policy items, including: a change to the Good Samaritan law, a new offense of disability intimidation and an F3 penalty for sexual activity for hire if it involves someone with a developmental disability, expanded use of IDAT funds; and changes to the redirection of child support to caretakers previously introduced as 134 HB 83. The bill was amended before being voted out of the House to include two other items important to the judiciary. HB 33 does the following in relation to **indigent defense administration and funding**:

Caps appointed counsel rates at \$75/hour

Provides 100% reimbursement for counties that contract with the state public defender

Prioritizes the 100% funding for state-public-defender counties

Allows the state public defender to use up to 10% of the 100% reimbursement for the purpose of providing administrative support, equipment, IT services, etc.

HB 33 does the following in relation to **supported decision-making** for people under the supervision of a probate court:

Authorizes probate courts to consider supported decision-making for adults with developmental disabilities

Creates a presumption of competence and capacity for adults with developmental Disabilities

Establishes formal and informal supported decision-making options for adults with developmental disabilities

- On 4.20.23, the **Department of Justice** issued a [letter](#) to courts regarding **finances and fees** for youth and adults. The letter highlights a number of key issues, such as the importance of conducting a meaningful ability-to-pay assessment before imposing adverse consequences for failure to pay, considering alternatives to fines and fees, guarding against excessive penalties and ensuring due process protections, including the assistance of counsel when appropriate. In the coming weeks, the DOJ will also release a solicitation seeking a training and technical assistance provider to work with a select number of jurisdictions interested in reforming their fines and fees policies and practices. The ultimate goal is to reduce the use of unjust fines and fees.

- ODRC is hosting a free, 1-day, 6-CLE hour **Reentry Summit for Ohio Judges** in various locations that will provide an overview of the ODRC reception processes; ODRC programming; factors influencing releases; reentry courts; and reentry services provided pre- and post-release. Register for [6.2.23 in Ashland](#), [6.3.23 in Dayton](#), [7.28.23 in Lima](#), or [8.11.23 in Lancaster](#).

- Save the Date: Join your colleagues and friends from across the state for the 2023 Ohio Judicial Conference **Annual Meeting "Ohio Judiciary in Changing Times"** September 14th – 15th at the Columbus Hilton at Easton. Registration information will be available soon.

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



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