

Legislative News: Two-Week Review



November 21, 2022

In Case You Missed It:

[Groups Plan to Push to Legalize Recreational Marijuana in 2023 in Ohio; Columbus Dispatch, November 16, 2022](#)

[Report on Daniel Anderl Judicial Security and Privacy Act; American Bar Association, November 2022](#)

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 283](#) (Reps. Abrams, Lampton) **Distracted Driving**, voted out of the House, 11.16.22. The bill expands the texting while driving prohibition to a general prohibition against using an electronic wireless communications device while driving, with certain exceptions.
- [SB 288](#) (Sen. Manning) **Criminal Justice Omnibus**, substitute bill accepted, 11.15.22. The substitute bill provides that an arrest or conviction for illegal use or possession of marijuana drug paraphernalia does not constitute a criminal record. It expands the Good Samaritan Act to individuals on community control or PRC, so they are immune from prosecution for minor drug offenses. It expands conviction records that cannot be sealed or expunged to include convictions for domestic violence and violating a protection order. The substitute bill also: reduces the penalty for underage drinking; creates the offense of fraudulent assisted reproduction; responds to the *State v. Smith* case on bindovers to adult court; authorizes courts to use CBCFs for people on ILC; authorizes courts to use CASCs for F4 OVI offenders; expands earned credit in prison by allowing additional programs and activities to count towards earned credit and making certain sex offenders eligible for earned credit, at a lower accrual rate than other inmates; creates a "state of emergency" judicial release mechanism and requires court response within 10 days, or the motion is considered granted; de facto abolishes the transitional control veto by making it apply only to sentences of less than a year, which are generally not prison-eligible sentences; caps filing fees for petitions to seal records and for CQEs.
- [SB 300](#) (Sen. Wilson) **Notaries Public**, voted out of the Senate, 11.16.22. Among other things, the bill: prohibits a notary from performing a notarial act for a person with whom the notary cannot communicate without the assistance of an interpreter or translator; and expands the list of county government officials that are required to accept electronically notarized documents to include clerks of courts of record and deputy registrars.
- [HB 419](#) (Reps. Seitz, Troy) **Penalty Increase**, voted out of the House, 11.16.22. The bill makes the failure to file a mandatory report of adult abuse, neglect, or exploitation an M4.
- [HB 439](#) (Reps. Galonski, Hillyer) **Involuntary Commitment**, voted out of the House, 11.16.22. The bill includes a requirement that states an individual must represent a substantial risk of harm, rather than just physical harm, to him or herself to warrant emergency hospitalization ("pink-slipping"). The bill also creates a new category for "mentally ill persons subject to a court order," a definition that applies to individuals who: have impaired judgement by lack of understanding of having an illness, refuse treatment or do not adhere to the prescribed treatment, would suffer mental deterioration without said treatment, and have been diagnosed with one of five mental illnesses.
- On 11.17.22, Secretary of State LaRose and Rep. Stewart announced a proposed change to the Ohio Constitution that would require **proposed constitutional amendments** put before voters through the citizen initiative process to get at least 60 percent of the vote in order to be adopted.

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



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