

Legislative News: Two-Week Review

- **HB 735** (Reps. LaRe, Miller) **Increase Domestic Violence Sentencing**, introduced 10.26.22. The bill increases the sentencing range for F3 domestic violence and creates a presumption in favor of a prison term for the offense.
- **HB 738** (Reps. Hicks-Hudson, Leland) **Postconviction Relief**, introduced 10.26.22. The bill makes changes to the law regarding postconviction relief proceedings, including a process by which a person can file after a deadline has passed, and the circumstances under which a person can be assigned counsel. The bill requires appellate courts to collect certain data concerning appeals and to produce an annual report to the Ohio Criminal Sentencing Commission. The bill also establishes the Ohio Innocence Commission, the purpose of which is to create an independent entity within Ohio's justice system to investigate and determine claims of innocence.
- **HB 740** (Reps. Miller, K., Plummer) **Prohibit Hooning**, introduced 11.1.22. The bill prohibits hooning and being a spectator at a hooning event. "Hooning" is defined as deliberately driving a vehicle in a reckless or dangerous manner, generally in order to provoke a reaction from onlookers. Hooning include speeding, burnouts, doughnuts, or screeching tires.
- On 11.2.22, in *State v. Belville*, the Ohio Supreme Court ruled a Lawrence County man's right to a **speedy trial** was not violated because he caused a delay by requesting a copy of his own home surveillance system. ([Slip Opinion No. 2022-Ohio-3879](#))
- On 11.3.22, in *In re K.K.*, the Ohio Supreme Court ruled that a juvenile court must conduct a hearing to grant **temporary custody to a children services agency** within 90 days after the agency files a complaint pursuant to a former state law, which has since been amended. Further, if the hearing takes place after 90 days, a parent must object to the court's decision immediately, and not during a later appeal following the court's decision to grant permanent custody to the children services agency. ([Slip Opinion No. 2022-Ohio-3888](#))
- On 11.3.22, *State v. Bortree*, the Ohio Supreme Court vacated the conviction of a Logan County man, ruling that although there is no **statute of limitations** on aggravated murder, the statute of limitations in the O.R.C. for attempted aggravated murder is 6 years. [Slip Opinion No. 2022-Ohio-3890](#)
- A preliminary injunction has been issued to block provisions of a 2018 state law enacted via [132 HB 228](#) that overrides local governments' ability to restrict guns.
- **Save these dates:** our various member judicial associations are preparing for their winter conferences now: the OCPJA Winter Conference is December 7-9; the AMCJO Winter Conference is January 25-27; the OADRJ Winter Conference is November 18; the OAJCJ Winter Conference is December 1-2; and the OAPJ Winter Conference is February 24.
- **Did you know?** The [Supreme Court of Ohio Law Library](#) can assist you and your staff with **legal research needs** like scanning a definition from a dictionary or providing copies of legislative history materials. Email your research questions to libref@sc.ohio.gov.

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



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In Case You Missed It:

[NCSC Releases Video for Jurors About Impermissible Media Use](#)

[Pay to Stay Ordinances and Evictions; Cleveland Metropolitan Bar Journal, October 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.