



December 21, 2018

Legislation and Policy in the News:

[Lawmakers Set Rare Post-Christmas Session to Override Kasich's Vetoes; Columbus Dispatch, December 17, 2018](#)

[Kasich Rejects GOP Gun Bill Even Without Stand Your Ground Language; Cincinnati Enquirer, December 20, 2018](#)

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

- **SB 201** (Sens. Bacon, O'Brien) **Indeterminate Sentencing and Re-Entry Supervision**, concurrence vote 12.13.18. The bill creates indeterminate sentences for F1s and F2s, with a presumptive minimum term. The bill allows DRC to recommend both early release, less than the minimum term, and delay release according to the sentence tail. PRC operates as it does currently, even if someone serves the full, indeterminate sentence. As amended, the bill also contains **HB 607** (removing requirement that a municipal judge sit in both Orrville and Wooster) and parts of **HB 68** (which defines "impaired" and includes "impaired" persons – not just minors – as potential victims of pandering obscenity, pandering sexually oriented matter, and illegal use of a person in a nudity-oriented material or performance).
- **SB 296** (Sen. Hottinger) **Police Death Benefit Fund**, voted out of the House, 12.12.18. The bill was amended to contain a **compensation increase** for all county elected officials, including judges, of 1¾% yearly from 2020 until 2028. The bill also created a Commission to make recommendations about pay raises in the future. An emergency clause means the bill will take effect immediately upon being signed by the Governor.
- **HB 411** (Reps. Seitz, Sykes) **Wrongful Imprisonment**, concurrence vote 12.13.18. The bill aims to correct the interpretation of this statute in the *Mansaray* case (138 Ohio St.3d 277), and requires a *Brady* (373 U.S. 83 (1963)) violation to prove wrongful imprisonment on the basis of a procedural error. The bill was amended to re-define a "violation sanction center" as a prison rather than an "alternative residential facility"; a violation sanction center is intended for offenders to serve PRC sanctions as well as offenders arrested by the APA awaiting an administrative hearing.
- **HB 497** (Reps. Manning, Rogers) **Revenge Porn**, concurrence vote 12.13.18. The bill prohibits the nonconsensual dissemination of private sexual images and allows that property involved in such an offense can be criminally forfeited.
- **HB 595** (Rep. Cupp) **Probate Omnibus**, concurrence vote 12.13.18. As amended, the bill contains a provision expanding authority to create guardianship boards, a provision allowing trusts to age 25, a provision altering the new IOLTA account requirements, and a provision creating a uniform determination of indigence in civil filings.
- **Mark your calendars!** The **Judicial-Legislative Exchange** will take place on **5.1.19**, followed by a reception in conjunction with the Supreme Court and the OSBA welcoming the new General Assembly. If you are interested in participating in the Exchange or attending the reception that night, please contact Justin.Long@sc.ohio.gov. The annual reception of the Ohio Council of County Officials is scheduled for **4.9.19** at the Statehouse.
- **Happy Holidays!** This is the last newsletter of 2018. Wishing you a wonderful 2019!

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



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