



November 30, 2020

***In Case You Missed It:***

[Ohio Senate Advances Execution Ban on Severely Mentally Ill; Associated Press, November 19, 2020](#)

[Ohio Sued Over Lower Payments to Relatives Caring for Kids; Associated Press, November 20, 2020](#)

[Ohio Public Health Orders](#)

*The Ohio Judicial Conference is dedicated to serving all Ohio judges. It is the primary resource to ensure the fair, unbiased, open, and effective administration of justice.*

## Legislative News: Two-Week Review

- **HB 136** (Rep. Hillyer) **Death Penalty and the Mentally Ill**, informally passed by the Senate 11.18.20. The bill prohibits imposing the death penalty for aggravated murder when the offender has a serious mental illness at the time of the offense. Life without parole is mandatory if the mentally ill person is guilty but not eligible for the death penalty under the bill (both retroactively and prospectively). The enumerated mental illnesses that trigger HB 136 are schizophrenia, schizoaffective disorder, bipolar disorder, and delusional disorder.
- **HB 404** (Reps. Manchester, Sweeney) **Electronic Meetings**, pending Conference Committee, 11.18.20. An omnibus amendment extends until 7.1.21 a temporary authorization for members of a public body to hold and attend meetings or hearings via electronic technology that the General Assembly previously enacted through HB197. Another part of the omnibus amendment pertains to the redistribution of federal CARES Act dollars that will occur on 11.20.20.
- **HB 431** (Reps. Abrams, Carfagna) **Sex Exploitation Database**, amended 11.18.20. The bill was amended to contain SB 47 (Sen. Eklund) Minor Sex Offender Reclassification. SB 47 allows a narrow category of sex offender convicted of unlawful sexual contact with a minor to petition the court for either reclassification or removal from the sex offender registry.
- The House Republican Caucus voted on its leadership team for the 134<sup>th</sup> General Assembly, 11.18.20. It will be: Rep. Bob Cupp (R-Lima) as speaker; Rep. Tim Ginter (R-Salem) as speaker pro tempore, Rep. Bill Seitz (R-Cincinnati) retaining his role as majority floor leader; Rep. Rick Carfagna (R-Genoa Twp.) as assistant majority floor leader; Rep. Don Jones (R-Freeport) as majority whip; and Rep. Cindy Abrams (R-Harrison) as assistant majority whip.
- On 8.31.20, the Sentencing Commission’s Ad Hoc Committee on a **Uniform Sentencing Entry** produced its [report with recommendations](#).
- Ohio is allocating \$50 million of its share of the federal Coronavirus Relief Fund to 47 Community Action Agencies for **eviction relief**. Ohioans who are behind on rent, mortgage, and water and/or sewer utility bills (dating back to 4.1.20) can apply for assistance. Ohioans can [apply](#) starting 11.2.20; the program ends on 12.30.20.
- [State ex rel. Fraley v. Ohio Dept. of Rehab. & Corr.](#) (Slip Opinion No. 2020-Ohio-4410), decided 9.15.20, holds that if a sentencing entry does not specify that a firearm specification is to run consecutively to another firearm specification, then ODRC is required to treat the specifications as concurrent. To conform to *Fraley*, [ODRC has begun the process of reviewing inmate sentences](#) and is contacting sentencing judges to clarify **whether a specification is to be served concurrently or consecutively**. *ODRC is asking that judges reply quickly to any requests for a nunc pro tunc entries, within 21 days of receipt.*

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



[Marta Mudri](#)

Legislative Counsel  
*Civil Law; Specialized Dockets; Community Corrections*



[Shawn Welch](#)

Deputy Legislative Counsel  
*Probate Law; Domestic Relations Law; Juvenile Law*



[Josh Williams](#)

Deputy Legislative Counsel  
*Criminal Law; Traffic Law; Appellate Law; Magistrates*



[Justin Long](#)

Legislative Services Specialist;  
*Publications; PCCO; Professionalism*