



April 2, 2018

## Legislation and Policy in the News:

[Ohio Bill Would Let Judges Decide Whether Teens Should be Tried as Adults; WBNS 10TV Columbus, March 28, 2018](#)

[Ohio Lawmakers Kill Bill to Cut PERS Benefits; Columbus Dispatch, March 22, 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 274](#) (Sen. McColley) **Bail Reform**, introduced 3.21.18. The bill requires courts to use the results of a validated risk assessment tool in bail determinations; it allows nonmonetary bail to be set; it requires courts to collect certain data on bail, pretrial release, and sentencing; and it requires the Supreme Court to monitor the policies and procedures of courts in setting bail and utilizing pretrial supervision services.
- [SB 278](#) (Sens. Schiavoni, Williams) **Extreme Risk Protection Orders**, introduced 3.26.18. The bill allows family members, household members, or law enforcement to obtain a court order that temporarily restricts a person's access to firearms if that person poses a danger to self or others.
- [SB 279](#) (Sens. Sykes, Tavares) **Improper Firearm Storage**, introduced 3.26.18. The bill prohibits a person from improperly storing a firearm if the person knows that a minor is able to gain access to the firearm (M3) and to provide criminal penalties, including forfeiture of firearms, if a minor gains unauthorized access to an improperly stored firearm (M1; F3 if death or harm results).
- [SB 280](#) (Sen. Eklund) **Punitive Damages for Strict Liability Offenses**, introduced 3.26.18. Current tort law contains a limitation to an exemption from punitive or exemplary damages in cases where a felony conviction involved purposeful or knowing conduct. The bill would make the limitation also apply when the felony conviction was for a strict liability offense.
- [HB 561](#) (Reps. Boggs, Lanese) **Spousal Exceptions to Sex Crimes**, introduced 3.19.18. The bill eliminates the spousal exceptions for the offenses of rape, sexual battery, unlawful sexual conduct with a minor, gross sexual imposition, sexual imposition, and importuning and permits a person to testify against the person's spouse in a prosecution for any of those offenses.
- [HB 568](#) (Rep. Butler) **Accident Investigations**, introduced 3.20.18. The bill authorizes a law enforcement officer to order the administration of a chemical test if the officer gets a warrant, if the officer asks for a warrant and does not get a response within an hour, or if the officer decides it is unfeasible to wait for a warrant. The officer is able to make an arrest if there is probable cause that a moving violation resulted in serious harm or death. The bill requires the bind-over of a 16- or 17-year-old who is alleged to have committed aggravated vehicular homicide.
- The Ohio Supreme Court is requesting public comment on a [proposed change](#) to Rule 4.6 of the Code of Judicial Conduct. The proposal creates a definition of "candidate" for non-judicial elective office to clarify when a judge seeking a non-judicial office must resign from the bench.
- **The OJC's annual Judicial-Legislative Exchange is scheduled for Tuesday, April 24, 2018. If you are interested in participating this year, please contact [Justin.Long@sc.ohio.gov](mailto:Justin.Long@sc.ohio.gov). We are still looking for matches for several legislators and would be very happy to have as many judges as possible join us that day.**

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



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