

## Legislative News: Two-Week Review



June 26, 2023

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

[Supreme Court Awards Grants to 42 Local Courts for Technology Projects; Court News Ohio, June 12, 2023](#)

*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 33** (Rep. Edwards) **State Operating Budget**, conference committee hearings begun, 6.22.23. The budget bill contains some policy items, including: a change to the Good Samaritan law, a new offense of disability intimidation and an F3 penalty for sexual activity for hire if it involves someone with a developmental disability, and expanded use of IDAT funds. A few items that the OJC is tracking in conference committee include:

**A DYS to DRC transfer** was added in the Senate and creates a new process allowing transfer of an offender age 18 or older in DYS custody to a DRC facility based on clear and convincing evidence that the offender committed misconduct that would be the equivalent of a felony or two first-degree misdemeanors.

**A criminal record sealing fee**, that was removed in the Senate, would allow courts to charge a local fee on top of the \$50 capped fee for applications to seal/expunge records and for CQEs.

**A clerks' computerization fee**, added in the House (from \$10 to \$25), and amended in the Senate to remove the requirement that those funds must be authorized and disbursed by the court.

**A distracted driving safety course clarification**, that was removed in the Senate, would require submitting proof of completion of the course to the court within 90 days of the offense to avoid fines and points.

• **SB 21** (Sens. McColley, Reynolds) **Court Jurisdiction Changes and Agency Order Appeal**, voted out of the legislature, 6.15.23. The bill is a reintroduction of 134 HB 286. It would allow a person to appeal certain state agencies' orders in the common pleas court in the county of residence of the appellant (not in Franklin County, as currently required). The bill also revises eligibility criteria for the Hamilton County Drug Court; transfers Perry Township in Wood County and Washington Township in Hancock County from the territorial jurisdiction of the Tiffin Fostoria Municipal Court to the territorial jurisdiction of, respectively, the Bowling Green Municipal Court and the Findlay Municipal Court on January 2, 2024; and replaces 2 part-time county court judgeships in Sandusky County with 1 full-time judge.

• **HB 191** (Reps. Seitz, Swearingen) **Bail Considerations**, voted out of the legislature, 6.21.23. The bill is a companion version to SB 122, which inserts CrimR46 into the Revised Code. The bill was amended to include an emergency clause, which means it will go into effect as soon as it is signed by the Governor, without the normal 90-day delay.

• **HB 221** (Reps. Schmidt, Upchurch) **Post-Conviction Relief for Innocence**, introduced 6.21.23. The bill expands the availability of postconviction relief based on DNA testing showing actual innocence. The bill specifically makes the expansion of relief retroactive.

• **Save the Date:** Join your colleagues and friends from across the state for the 2023 Ohio Judicial Conference **Annual Meeting "Ohio Judiciary in Changing Times"** September 14<sup>th</sup> – 15<sup>th</sup> at the Columbus Hilton at Easton. Registration information will be available soon.

**For a complete list of bills & the latest Enactment Summaries, please visit the [OJC website](http://www.ohiojudges.org).**



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