

Legislative News: Two Week Review



January 3, 2016



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.

The following are only some of the bills passed during lame duck. The last newsletter contained other lame duck bills and updates. [SB 329](#), mentioned in the last newsletter, has been vetoed by the Governor, 12.27.16.

- [HB 154](#) (Rep. Henne) **3-Foot Passing**, signed by the Governor, 12.19.16. The bill requires motorists to pass a cyclist with at least 3 feet of space (MM).
 - [HB 185](#) (Rep. Koehler) **Arson**, signed by the Governor, 12.19.16. The bill eliminates the lack of a property owner's consent as an element of arson when the property is abandoned and makes such consent an affirmative defense. The bill was amended to allow inmates currently in state prisons to be moved to private prisons.
 - [HB 300](#) (Rep. Baker) **OVI License Suspension**, signed by the Governor, 12.13.16. The bill clarifies that a person can petition to change a class I suspension for aggravated vehicular homicide after 15 years, which starts tolling upon the offender's release from prison. The bill expands the list of circumstances under which restricted driving privileges may be permitted.
 - [HB 436](#) (Reps. Cupp, Rogers) **OVI/Immobilization**, sent to Governor, 12.29.16. The bill authorizes the court to lift a vehicle immobilization at the same time an OVI license suspension ends.
 - [HB 463](#) (Rep. Dever) **Expedited Foreclosure/Private Selling Officer**, sent to Governor, 12.27.16. The bill makes adjustments to the recently passed expedited foreclosure and private selling officer provisions in [HB 390](#). The bill was amended to include portions of [SB 134](#) (Sen. Seitz), which changed mandatory damages in housing discrimination cases at the Civil Rights Commission to discretionary damages.
 - [HB 451](#) (Rep. Boose) **Life Support**, sent to Governor, 12.29.16. The bill prohibits a person from deciding whether someone should receive life support if the decision-maker is in the process of divorcing the person needing life support, is the subject of a protection order filed by the person needing life support, or is charged with felonious or aggravated assault against the person needing life support. The bill also applies to healthcare powers of attorney and living wills.
- [SB 257](#) (Sens. Seitz, Skindell) **Recorded Real Property Instruments**, sent to Governor, 12.27.16. The bill creates a presumption of validity of recorded real property instruments and reduces the time period to cure certain defects.
 - [SB 319](#) (Sen. Eklund) **Opiate Omnibus**, sent to Governor, 12.27.16. The bill provides immunity to court personnel administering naloxone. The bill was amended to include [HB 325](#) (Rep. Green), which encourages pregnant drug users to seek treatment.
 - [SB 331](#) (Sen. Peterson) **Dog Sales**, signed by Governor, 12.19.16. The bill authorizes the Department of Agriculture to regulate dog sales. The bill was amended to include [SB 195](#) (Sen. Hughes), which makes bestiality an M2 at first offense, authorizes the impoundment of an animal, and authorizes a court to order mental health evaluation or treatment; and [HB 215](#) (Reps. Sears, Bishoff), which criminalizes bear-baiting and cock-fighting.

For a complete list of bills that affect the judiciary and for Enactment News, please visit the [OJC website](#).



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