Legislative News: Two-Week Review

- **SB 377** (Sens. Manning, Sykes) **Transitional Control Veto**, introduced 11.10.20. The bill abolishes a judge's veto over a transitional control transfer.
- **SB 378** (Sen. Hoagland) **Jefferson County Court**, introduced 11.10.20. The bill includes Cross Creek Township as one of the locations where the county court in Jefferson County holds court.
- **HB 784** (Reps. Abrams, Carruthers) **Penalty Increases**, introduced 11.9.20. The bill increases penalties for certain assault, vandalism, and riot offenses. The bill creates a new riot assault charge if a person engaged in an aggravated riot recklessly causes physical harm, an F5 (F4 if the assault is against a peace officer and F3 if the peace officer sustains serious physical harm). The bill allows peace officers to bring civil suits against persons participating in a riot.
- The Senate Republican Caucus unanimously elected Sen. Huffman (R-Lima) as the chamber's president for the 134th General Assembly; Sen. Hottinger (R-Newark) will serve as president pro tempore; Sen. Schuring (R-Canton) will serve as majority floor leader; and Sen. McColley (R-Napoleon) will serve as majority whip.
- Municipalities do not qualify as victims under the **Marsy's Law** constitutional amendment, the Ohio Supreme Court in *Centerville v. Knab*, 11.12.20 (Slip Opinion No. 2020-Ohio-5219). The case stems from an incident in which Mr. Knab, a schizophrenic and methamphetamine user, called 911 because he hallucinated an active shooter targeting his home. Mr. Knab was convicted of making a false report and of improper use of 911. Mr. Knab was ordered to pay $1,375.56 in restitution to the city. The Court found that a municipality has no right to restitution under Marsy's Law.
- 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.
- The **6th Annual Veterans Summit**, "Lean Forward: Answering the Call of Veterans in Crisis," is an online event on 11.19.20. The event is free (6.25 hours CLE pending). Register online.
- *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.

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