

Legislative News: Two-Week Review



February 5, 2024

In Case You Missed It:

[Updated Guidance for Judges on Mental Health Diversion Strategies Now Available from NCSC](#)

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.

- **SB 217** (Sens. Blessing, Johnson) **AI Technology Prohibitions**, introduced 1.24.24. The bill makes it a crime under R.C. 2907.321 (Pandering Obscenity) to make or transmit any simulated obscene material (an F3); or to buy, procure, possess, or control any simulated obscene material (an F4). The bill also expands R.C. 2913.49 (Identity Fraud) to include the use of a replica or a person. A new R.C. 2907.324 requires websites and social media platforms to remove simulated child obscenity or a violation of R.C. 2913.49; the Attorney General is authorized to bring a civil enforcement action against violations.
- **HB 385** (Reps. Richardson, Williams) **Criminal Record Expungement**, introduced 1.24.24. See also companion bill SB 214 (Sen. Kunze). The bill allows any person who is or was convicted of a misdemeanor, an F4, or an F5 to apply to the sentencing court for the expungement of the record if the person's participation in the offense was result of the person having been a victim of human trafficking.
 - On 12.15.23, 1.18.24, and 2.1.24, Judges Carroll and Huffman presented webinars about **Issue 2 and recreational marijuana** in Ohio. Recordings of the webinars are available through the Judicial College and one more webinar is coming up: 2.16.24 (cannabis, probation and drug courts).
 - **Did you know?** The OJC staff curates a list of tools and bench aids for judges. Visit our website for a new [flowchart about eligibility of sealing and expunging criminal records](#) and for a [new chart summarizing marijuana](#) offenses post-Issue 2.
 - Applications for the Supreme Court of [Ohio Technology Grant Funds](#) are being accepted until 2.16.24. This grant opportunity provides financial resources to implement of technology-based projects. For more information and to apply, please visit the Supreme Court of Ohio website.
 - The OSBA presented to the **Indigent Defense Task Force**, created in [134 HB 150](#), a report that recommends each county be given a choice to opt in to a Public Defender's Office-administered indigent defense system funded directly by the state, or to opt out of the state structure, maintain and budget for its own system and be reimbursed by the state. The report also recommends strategies to increase the supply of lawyers, including allowing more flexibility for attorneys to work part-time in private practice while serving as public defenders; setting a floor and ceiling for appointed counsel rates; and improving online resources from the OPD.
 - **Save the Date!** The OJC's **Court Technology Conference** is scheduled for 4.3.24. The Court Tech Conference explores new developments in court technology and serves as a resource to help Ohio judges effectively use technology.
 - **Save the Date!** The OJC's **Annual Judicial-Legislative Exchange** is scheduled for 5.7.24 and is being organized in conjunction with the OSBA's [complimentary CLE panel and Bench-Bar Reception](#). If you would like to participate, please email Justin.Long@sc.ohio.gov.

For Tool & Bench Aids, and the latest Enactment Summaries, please visit the [OJC website](#).



[Marta Mudri](#)

Legislative Counsel
Civil Law; Specialty Courts; 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