

Legislative News: Two Week Review



November 25, 2019

Legislation and Policy in the News:

[Changing Views on the Death Penalty; WOSU Media, November 12, 2019](#)

[An Inmate Claimed His Life Sentence Ended When He Died and Was Revived; Washington Post, November 8, 2019](#)

[As Illinois Prepares to Legalize Pot, Public Housing Tenants Not Allowed to Partake; NPR, November 11, 2018](#)

The Ohio Judicial Conference is dedicated to serving all Ohio judges. It is the primary resource to ensure the fair, unbiased, open, and effective administration of justice.

- [SB 237](#) (Sen. Johnson) **Duty to Retreat**, introduced 11.12.19. This bill is similar to [HB 381](#), which provides that a person who is not engaged in illegal activity and is lawfully present in a location has no duty to retreat before using or threatening to use reasonable force, including deadly force, in self-defense, defense of another, or defense of that person's residence, even if an alternative course of action is available. The bill grants immunity to a person who is found to be justified in using or threatening to use deadly force, and establishes procedures for a pretrial immunity hearing. The bill provides that a person has a right to a pretrial immunity hearing – if a person files such a motion the court is required to hold one. The court must rule for the movant unless the state (in a criminal case) or the plaintiff (in a tort action) shows that the immunity provided in this bill does not apply.
- [HB 403](#) (Reps. Galonski, Hillyer) **Transitional Control Veto**, introduced 11.12.19. The bill eliminates a sentencing court's transitional control veto.
- [HB 413](#) (Reps. Hood, Keller) **Abortion Murder**, introduced 11.14.19. The bill creates two new capital offenses: aggravated abortion murder (purposefully and with a prior plan perform or have an abortion; or purposely perform an abortion while committing certain other violent felonies) and abortion murder (purposely perform or have an abortion; or proximately cause an abortion while committing certain other violent felonies). A physician can be immune from criminal or civil liability in certain circumstances; a patient can claim an affirmative defense only if compelled to have an abortion and must submit a report to that effect to law enforcement. Juveniles who violate the new sections (RC 2904.03 and 2904.04, respectively) are subject to mandatory bindover and an SYO designation; they cannot have records of those charges sealed.
- [HB 415](#) (Rep. Powell) **Proceeds from Prostitution**, introduced 11.14.19. The bill prohibits a person from knowingly receiving proceeds of prostitution. The bill makes it an F3 on first offense and an F2 if the prostitution involved someone younger than 18.
- The Supreme Court has updated its online information about [fingerprinting and criminal reporting requirements](#) with matrices for each jurisdiction, flowcharts of the reporting process, a list of offenses that requirement fingerprints to be taken, and resources on audit compliance standards. A webinar series (11.20.19, 1.14.20, and 2.26.20) will cover this information; contact Kyana.Pierson@sc.ohio.gov with questions.
- Did you know? The **Auditor of State's office** periodically releases Technical Bulletins to offer guidance to the government entities it audits. All bulletins since 1977, including [this bulletin](#) about 2018 changes to judicial compensation, are available [online](#).
- The **Ohio Jury Instructions for Self Defense** have been updated and are available on our [website](#). Please email Justin.Long@sc.ohio.gov if you have trouble accessing them.

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



[Marta Mudri](#)

Legislative Counsel
Civil Law; Specialized
Dockets; 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