



# *ENACTMENT NEWS*

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## **House Bill 110**

### **Failure-to-stop penalties; “Good Samaritan” immunity**

Effective September 13, 2016

Governor Kasich signed House Bill 110 (Rep. Hill) into law on June 13, 2016. The bill takes effect on September 13, 2016.

#### **Failure-to-stop penalties**

H.B. 110 increases the penalties associated with failing to stop after an accident (R.C. 4549.02 and R.C. 4549.021). If a person fails to stop and knows that the accident caused serious physical harm, the penalty is increased from an F5 to an F4. If the offender fails to stop and is aware that the accident caused a death, the penalty increases from an F3 to an F2.

#### **“Good Samaritan” immunity**

H.B. 110 also provides immunity from prosecution for a minor drug possession offense if the person is seeking or obtaining medical assistance for a drug overdose, provided that, within thirty days of seeking or obtaining the assistance, the person obtains a screening and referral for a drug screening and treatment. No person shall be granted such immunity more than two times.

If the drug possession charge from which the person seeks immunity would result in the violation of an existing community-control or post-release-control sanction, the sentencing court, or parole board, reviewing the violation is to first consider ordering the person to participate, or continue participating, in a drug treatment program. If the court or parole board opts to impose a penalty for the violation, H.B. 110 provides that the court or parole board may consider the person’s good-faith conduct in seeking medical assistance for another as a mitigating factor.