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JUDICIAL IMPACT STATEMENT: OVI SIMPLIFICATION

DRAFT

Looking for sponsor

Title Information

To amend sections 153.03, 2937.46, 3719.01, 4123.54, 4510.01, 4510.13, 4510.54, 4511.19, 4511.191, 4511.192, 4511.194, and 4511.197 of the Revised Code to simplify the OVI Law by presenting prohibited concentrations of alcohol, controlled substances, and metabolites of controlled substances and the penalties for violating the OVI Law in tabular form.

Background

The current version of R.C. Sec. 4511.19 has 9,680 words, is confusing, and is difficult to read. Streamlining the section without changing any of the existing penalties would make this section of the law much more impactful – easier for the public to understand, easier for the judiciary to apply, and easier for the legislature to amend.

In 2011, the Sentencing Commission began work on a project to streamline and simplify the existing OVI law, found mainly in R.C. Sec. 4511.19. The project involved creating charts to better represent OVI penalties, changing some drafting conventions to save space, and making minor changes to the law to remove conflicts and ambiguities.

Recommendation

The Ohio Judicial Conference recommends adopting the simplified OVI Statute draft developed by the Sentencing Commission.

What is a Judicial Impact Statement?

A Judicial Impact Statement describes as objectively and accurately as possible the probable, practical effects on Ohio's court system of the adoption of the particular bill. The court system includes people who use the courts (parties to suits, witnesses, attorneys and other deputies, probation officials, judges and others). The Ohio Judicial Conference prepares these statements pursuant to R.C. 105.911.