



December 23, 2019

### Legislation and Policy in the News:

[Ohio Criminal Sentencing Reform Bill Loses Key Supporters Following Amendments; Cleveland Plain Dealer, December 12, 2019](#)

[Key Groups Back in the Fold on Ohio Criminal Sentencing Reform Bill After Amendments Removed; Cleveland Plain Dealer, December 18, 2019](#)

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.



## Legislative News: Two Week Review



- **SB 3** (Sens. Eklund, O'Brien) **Drug Reform**, amendments accepted 12.11.19 and 12.17.19. The first set of amendments to SB 3 included: increased penalties for drug trafficking near an addiction-service provider (SB 55); attempt to commit an unclassified misdemeanor drug offense becomes an M1; requires unclassified misdemeanor drug charges to originate in municipal court, but allows for transfer to the common pleas court (via motion of prosecutor or defense, or *sua sponte*); clarifies that the speedy trial time, weapons disability, forfeiture ability, and statute of limitations all remain the same as for felony offenses, even though the drug offenses will be reclassified as misdemeanors. On 12.17.19, the amendment increasing penalties for drug trafficking near an addiction-service provider was reconsidered and removed.
- **SB 5** (Sens. Dolan, Kunze) **Promoting Prostitution Penalties and CQE Changes**, signed by Governor 12.12.19. The bill expands the circumstances in which promoting prostitution is an F3 and creates a circumstance in which it is an F2. Two amendments to the bill capped the fee for a CQE application \$50 and created a rebuttable presumption of eligibility for a CQE.
- **HB 136** (Rep. Hillyer) **Serious Mental Illness and Death Penalty**, amendments accepted 12.11.19 and 12.17.19. The first set of amendments to HB 136 included: removing a required finding of "seriously mentally ill" (SMI) from a trial verdict; allowing victim-impact testimony during the mitigation phase of capital sentencing; expanding SMI exclusions to disorders caused "primarily" rather than "solely" by substance abuse; and for pre-1996 inmates, making the SMI application a waiver of the old capital sentencing option of 30 years to life. On 12.17.19, the amendment allowing a victim impact statement to be read at the mitigation phase of sentencing was reconsidered and removed.
- The Ohio Criminal Sentencing Commission updated its [felony sentencing reference guide](#).
- **Did You Know?** The Ohio Judicial Conference, in conjunction with the Ohio Lawyers' Assistance Program (OLAP), organizes JAG, the **Judicial Advisory Group**. If you or a colleague needs help, more information is available [online](#).
- **Did You Know?** Every year Common Pleas Judges are responsible for appointing members to their county's [Veterans Service Commissions](#). This duty is important: Veterans Service Commissioners have authority over large budgets and hire civil service employees. For more on the process and your role, please review the [guidelines](#) available on the OJC website.
- **For a complete list of bills & the latest issue of Billboard, please visit the [OJC website](#).**

**THE OJC WISHES EVERYONE A WARM & HAPPY HOLIDAY! ALL THE BEST IN THE NEW YEAR!**



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