



October 28, 2019

**Legislation and Policy
in the News:**

[Ohio Law Taking Effect
Requires Cigarette Buyers
to Be 21; Associated Press,
October 16, 2019](#)

[Ohio Gun Control Group
Steps Up Effort to Hold
Statewide Vote on
Universal Background
Checks; Cleveland Plain
Dealer, October 17, 2019](#)

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

Legislative News: Two Week Review

- [SB 5](#) (Sens. Dolan, Kunze) **Prostitution Penalties**, passed out of the House, 10.23.19. The bill increases penalties for the crime of Promoting Prostitution and also changes the Certificate of Qualification for Employment: it caps the fee for a CQE at \$50; it creates a rebuttable presumption for a CQE unless the petitioner is found to have not been rehabilitated.
- [SB 215](#) (Sen. Huffman) **Protected Communications**, introduced 10.10.19. The bill creates a special motion to strike in lawsuits concerning “protected communications” – or communications that are likely protected under the First Amendment.
- [SB 217](#) (Sen. Schaffer) **Sex Offender License Plate**, introduced 10.15.19. The bill requires courts to order all Tier II and Tier III SORN registrants to use a special sex offender license plates. SORN registrants who have previously been sentenced are to be ordered by the court, as soon as is practicable, to use the plates. A special decal is required to be used by SORN registrants who drive in Ohio in a car registered in another state.
- [SB 221](#) (Sen. Dolan) **Firearms Laws**, introduced 10.15.19. The bill increases gun specification terms and penalties for illegal transfers of firearms and improper furnishing of firearms to minors. It creates a safety protection order, which requires seizure of firearms. Seized guns can be legally sold by the owner to a federally licensed dealer; can be legally transferred by the owner to a family member who does not live with the owner; and legally returned to a person, not the defendant, who is the true owner of the firearm. Court orders are required for all these transactions and also to return firearms to someone once the weapons disability has expired. Courts must enter warrant and protection order information into LEADS and NCIC, as well as remove information once a weapons disability expires. Juvenile judges must enter such information if the safety protection order would apply after a juvenile reaches age 18. The bill changes the involuntary civil commitment process, namely in costs collected from the patient (none).
- [HB 368](#) (Rep. Baldrige) **Ohio Computer Crimes Act**, introduced 10.17.19. The bill creates new offenses: 2913.86 (Computer Trespass), an F4 or F5, or an F3 if an aircraft is involved; 2913.88 (Electronic Data Interference), an F4; 2913.89 (Electronic Data Tampering), an F3; 2913.90 (Electronic Data Manipulation), an F4; 2913.91 (Electronic Data Theft), an F3; and 2913.32 (Electronic Data Disclosure), an F3.
- The **OCJJA Benchbook** is available on the [OJC website](#) and contains many resources for Common Pleas judges, including a **comprehensive update of consecutive sentences** prepared by Judge Douglas Rastatter and a **Reagan Tokes sample sentencing entry** created by Judge Eugene Lucci.
- OHMAS is offering [\\$7.5 million in grant funding](#) for expansion of **specialized dockets** that focus on substance use or mental health disorders. Applications will be accepted until all funds have been awarded. Questions can be sent to specialized.docket@mha.ohio.gov by 11.14.19.

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



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