



ENACTMENT SUMMARY

Senate Bill 295 **Competency Restoration** Effective February 20, 2026

On February 20, 2026, Governor DeWine signed into law Senate Bill 295 (Sen. Manning and Sen. Patton), which modifies the laws pertaining to competency restoration for criminal defendants. The bill passed as an emergency measure and thus takes effect immediately.

Competency restoration timelines

The bill lengthens, from one year to three years, the timelines for competency restoration for the following offenses:

- Aggravated murder (and complicity to commit)
- Murder (and complicity to commit)
- Any offense of violence punishable by death or life imprisonment (or complicity to commit if the complicity is an F1 or F2)

Restoration timelines for all other offenses remain unchanged.

Tolling the competency restoration timelines

The bill provides that if a defendant is found incompetent to stand trial and is undergoing treatment for restoration, and the facility or clinician responsible determines that the defendant either lacks capacity to consent to treatment or refuses treatment, including medication, then the timeline for competency restoration is tolled. If a petition for involuntary medication is filed under R.C. 2945.38 (B)(1)(c), the timeline for restoration is tolled during any period of time that the petition is pending. If such a petition is not filed, the timeline is tolled during any period of time that the defendant lacks the capacity to consent to, or refuses, treatment. The bill further requires the chief clinical officer of the facility where the defendant is placed, or the managing director or officer of the institution to which the defendant is committed for treatment, to document the determination that the defendant lacks capacity to consent to, or refuses, treatment, and to notify the court within fourteen days of the determination.

Retroactive application

The bill provides that these changes apply retroactively to all defendants who were found incompetent to stand trial prior to the bill's effective date, and whose competency restoration is ongoing or whose case remains pending.

The bill passed the Ohio Senate by a vote of 31-0 on November 12, 2025, and the Ohio House by a vote of 87-2 on February 18, 2026. The Senate voted 30-0 to concur in House amendments on the same day. It was signed into law on February 20, 2026, and became effective immediately.