



GOVERNMENTAL POLICY GROUP, INC.

17 South High Street – Suite 245

Columbus, Ohio 43215

Legislative Activities Report

Ohio Community Corrections Association

June 2008

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The following legislation may be of interest to the Ohio Community Corrections Association:

HB23 **SEXUAL BATTERY OFFENSE** (DEBOSE, M) To include security guards as persons of authority for purposes of the offenses of sexual battery and voyeurism.

Current Status: 3/8/2007 - Criminal Justice, (First Hearing)

HB57 **SEX OFFENDER REGISTRATION** (COMBS, C) To provide notice to a long-term care facility and its residents when a registered sex offender indicates an intent to reside or registers an address within the facility's specified geographical notification area.

Current Status: 5/13/2008 - Referred to Judiciary - Criminal Justice Committee

HB113 **DRC/DYS REENTRY SERVICES** (WHITE, J) To allow representatives of faith-based and other community organizations to provide reentry services to persons in the custody of the

Department of Rehabilitation and Correction or the Department of Youth Services.

Current Status: 3/25/2008 - SIGNED BY GOVERNOR; eff. 6/25/2008

HB119 **BIENNIAL BUDGET** (DOLAN, M) To make operating appropriations for the biennium beginning July 1, 2007 and ending June 30, 2009, and to provide authorization and conditions for the operation of state programs.

Current Status: 6/30/2007 - **SIGNED BY GOVERNOR**, appropriations eff. 6/30/2007

HB120 **HB 241-126TH GENERAL ASSEMBLY** (LATTA, R) To eliminate unnecessary and inconsistent language mistakenly retained by Sub. H.B. 241 of the 126th General Assembly and to declare an emergency.

Current Status: 6/30/2007 - SIGNED BY GOVERNOR; Eff. 6/30/2007; certain sections different dates

HB130 **DYS OPERATIONS** (WHITE, J) To modify sentencing procedures with respect to post-release control and related releases from prison, to conform the Revised Code to the decision of the Ohio Supreme Court in State ex rel. Bray v. Russell (2000) 89 Ohio St. 3d 132 by removing provisions related to bad time, to authorize courts to participate in the supervision of released prisoners, to provide released prisoners with identification cards and additional procedures for access to social services, to make other changes relative to opportunities for prisoner training and employment, to modify procedures for the judicial or medical release of prisoners and intervention in lieu of conviction, to grant the Adult Parole Authority more flexibility in determining periods of post-release control, to adopt other cost-control measures, to create the Ex-offender Reentry Coalition, to modify the grounds for disciplinary action by occupational licensing boards against licensees charged with criminal offenses, to provide for the indemnification of the Department of Rehabilitation and Correction for legal costs incurred in certain cases, to provide for legal representation of Department employees charged with offenses in certain cases until a grand jury has acted, to create a fund for the deposit of money received in certain federal law enforcement cases, to authorize the Department to enter into contracts to provide water and sewage treatment services, to make other changes related to the operations of the Department of Rehabilitation and Correction, to clarify the duties of juvenile parole officers, to establish reimbursement rates paid by the Department of Youth Services for outside medical providers, to authorize the Director of Youth Services to designate a deputy director, to modify the formula for expending appropriations for the care and custody of felony delinquents and the purposes for which money in the Felony Delinquent Care and Custody Fund may be used, to allow for unlimited reappointments of members of the Release Authority, and to make other

changes related to the operations of the Department of Youth Services.

Current Status: 5/14/2008 - Senate Judiciary - Criminal Justice, (First Hearing)

HB139 **STATUTORY NAME CHANGE (SKINDELL, M)** To prohibit a court from ordering a statutory change of name for person who has committed identity fraud or who must register under SORN Law.

Current Status: 5/10/2007 - House Criminal Justice, (First Hearing)

HB166 **OFFICE OF INTERNAL AUDITING (SCHINDEL, C)** To create an Office of Internal Auditing within the Office of Budget and Management, to establish the State Audit Committee, and to prescribe their respective and interrelated functions.

Current Status: 11/15/2007 - SIGNED BY GOVERNOR; Eff. 2/14/08

HB171 **ISSUANCE OF PROFESSIONAL LICENSES (WILLIAMS, S)** To revise the laws governing issuance of certain professional licenses.

Current Status: 6/19/2007 – House Commerce and Labor, (First Hearing)

HB172 **SEALING OFFICIAL COURT RECORDS (WILLIAMS, S)** To require the sealing of the official records of a person who is found not guilty of an offense, to modify the procedure by which a person who is the defendant named in a dismissed complaint, indictment, or information or against whom a no bill is entered by a grand jury may apply for the sealing of the official records in the case, and to allow access to sealed records by parties to civil actions that are based on the conduct that gave rise to the criminal case the records of which were sealed.

Current Status: 4/25/2007 - Referred to Criminal Justice Committee

HB183 **ASSAULT OF HEALTHCARE WORKER (SETZER, A)** To increase the penalty for assault to a felony of the fourth degree when the victim is a listed healthcare worker and to make assault against any school employee a felony of the fifth degree.

Current Status: 5/10/2007 – House Criminal Justice, (First Hearing)

HB202 **FELONY DELINQUENTS** (BOYD, B) To require the Department of Youth Services to establish and maintain multifactored assessment programs for, and to prepare individualized rehabilitation plans for specified felony delinquents.

Current Status: 5/23/2007 – House Juvenile and Family Law, (First Hearing)

HB203 **INMATES** (BOYD, B) To require the Department of Rehabilitation and Correction to establish and maintain multifactored assessment programs for, and to prepare individualized rehabilitation plans for, specified inmates.

Current Status: 5/8/2007 - Referred to Committee House Criminal Justice

HB215 **CONTROLLED SUBSTANCES** (COLLIER, T) To list Salvia divinorum as a controlled substance.

Current Status: 5/14/2008 - Senate Judiciary - Criminal Justice, (First Hearing)

HB218 **POSTCONVICTION DNA** (CHANDLER, K) Regarding postconviction DNA testing.

Current Status: 5/24/2007 - House Criminal Justice, (First Hearing)

HB241 **SORN LAW** (HEARD, T) To provide that any person required to register under Ohio's Sex Offender Registration and Notification Law who establishes or occupies residential premises within one thousand feet of any school premises, recreation center, playground, or other place where it is reasonable to expect children to frequent or linger is guilty of a misdemeanor of the first degree and to require a court to order a violator to vacate the premises as part of any injunctive relief granted for the violation.

Current Status: 4/10/2008 - House Criminal Justice, (First Hearing)

HB262 **HEALTH SERVICES CONTRACTS** (HUFFMAN, M) Regarding the authority of the Department of Rehabilitation and Correction and Youth Services, county sheriffs, and municipal corporations to contract for health services.

Current Status: 6/13/2007 - Referred to Committee House State Government

and Elections

HB279 **OVI OFFENDERS** (SEITZ, B) To require certain OVI offenders who are granted limited driving privileges to operate only vehicles that are equipped with interlock devices and to make other changes relative to such devices.

Current Status: 9/10/2007 - Referred to Committee House Criminal Justice

HB296 **REPEAT OFFENDERS** (HUGHES, J) To establish a presumption that a court should impose on a repeat offender the longest prison term authorized for an offense and to specify longer prison terms that a court may impose on felony offenders with two or more previous felony violations.

Current Status: 2/7/2008 - House Criminal Justice, (First Hearing)

HB343 **PRISONER RELEASE NOTIFICATION** (BACON, K) To require automatic notice to victims of first, second, or third degree felony offenses of violence of certain prisoner or alleged juvenile offender release of transfer proceedings; to expand victim participation in parole hearings; to require five years of post-release control for offenders who commit first, second, or third degree felony offenses of violence; to require the Department of Rehabilitation and Correction to keep information on such offenders in a publicly accessible database for ten years following final discharge; to require the Department to provide certain information related to paroles to designated public officials; to require the Department to notify the appropriate prosecuting attorney when a felon serving a specified sentence is released pursuant to a pardon, commutation of sentence, parole, or completed prison term; to prohibit the Parole Board from considering a sentence in effect since July 1, 1996, in making parole determinations; to make other changes related to the release of prisoners and victim's rights; to provide that voluntary manslaughter committed with a sexual motivation is a sexually oriented offense, makes an offender or juvenile offender registrant who commits it a tier III sex offender/child-victim offender, and may qualify a juvenile offender registrant who commits it as a public registry-qualified juvenile offender registrant; to name the victim and family notification provisions Roberta's Law; and to declare an emergency.

Current Status: 10/10/2007 - Referred to Committee House Criminal Justice

HB351 **INMATE TRANSFERS** (BRINKMAN, T) To permit the transfer of county jail inmates to contiguous counties in adjoining states.

Current Status: 5/29/2008 - Referred to Judiciary - Criminal Justice Committee

HB365 **INCREASED PRISON TERM** (EVANS, C) To specify that if a bill provides for a new or increased jail term, prison term, or delinquent child commitment no committee of the General Assembly may report it and neither house of the General Assembly may pass it unless the bill designates one or more funding sources from which the cost of the term or commitment will be paid, to require fiscal analyses prepared by the Legislative Service Commission to include an estimate for each such bill of the cost of the term or commitment, and to require the creation of a task force to establish a state policy to limit future increases in the number of criminal offenders and delinquent children in correctional facilities and Department of Youth Services facilities and provide planning for modifying, expanding, and constructing those facilities necessary to satisfy the projected increased need for them.

Current Status: 4/30/2008 - House Finance and Appropriations, (Second Hearing)

HB384 **HEALTH CARE DISCRIMINATION** (CELESTE, T) To prohibit discrimination in health care policies, contracts, and agreements in the coverage provided for the diagnosis and treatment of mental illnesses and substance abuse or addiction conditions.

Current Status: 4/15/2008 - House Insurance, (Third Hearing)

HB396 **TAX-EXEMPT ORGANIZATIONS** (HOTTINGER, J) To generally authorize a board of county commissioners to appropriate funds to tax-exempt 501(c) (3) organizations that serve a community purpose.

Current Status: 2/6/2008 - REPORTED OUT AS AMENDED

HB430 **SEX-OFFENDERS** (GARRISON, J) To prohibit adult tier III sex offender/child-victim offenders who have committed specified offenses against a victim under sixteen years of age from knowingly being present on school premises or preschool or child day-care premises.

Current Status: 1/15/2008 - Referred to Criminal Justice Committee

HB435 **FAITH-BASED AND COMMUNITY INITIATIVES** (WHITE, J) To reform the Governor's Office of Faith-Based and Community Initiatives.

Current Status: 5/29/2008 - PASSED BY HOUSE

HB447 **COMMUNITY-BASED CORRECTIONAL FACILITY** (WILLIAMS, S) To require a county that does not have a community-based correctional facility available for the use of that county's courts to formulate a proposal for such a facility.

Current Status: 4/17/2008 - House Judiciary, (First Hearing)

HB456 **OHIO CARE** (RAUSSEN, J) To establish Ohio CARE, to limit or deny funds under the Hospital Care Assurance Program to a hospital that fails to contract with Medicaid managed care organizations and to provide that these provisions of this act terminate on October 16, 2009, when section 5112.08 of the Revised Code is repealed on that date.

Current Status: 5/20/2008 - House Healthcare Access and Affordability, (Twelfth Hearing)

HB461 **WORKERS' COMPENSATION CLAIMS** (BATCHELDER, W) To allow an employer to reimburse the Administrator of Workers' Compensation for the first fifteen thousand dollars of medical bills incurred in any type of workers' compensation claim rather than allow an employer to pay directly only those medical bills incurred in medical-only claims.

Current Status: 4/22/2008 - House Commerce and Labor, (First Hearing)

HB536 **HEALTHY FAMILIES ACT** (HUSTED, J) To enact the Healthy Families Act.

Current Status: 5/28/2008 - House Commerce and Labor, (Second Hearing)

HB538 **GPS DEVICE MONITORING** (PATTON, T) To require the imposition at sentencing or upon release from prison of lifetime active global positioning system device monitoring for Tier III sex offenders/child-victim offenders.

Current Status: 4/22/2008 - Referred to Criminal Justice Committee

HB547 **SNOW REMOVAL-DISABLED PARKING** (FENDE, L) To require the removal of snow or ice from special parking locations designated for persons with disabilities within 24 hours after the weather condition causing the snow or ice ceases.

Current Status: 5/6/2008 - Referred to Infrastructure, Homeland Security and Veterans Affairs Committee

HB554 **ECONOMIC STIMULUS** (HOTTINGER, J) To establish the Ohio Bioproducts Development Program and Ohio Biomedical Development Program to be administered by the Third Frontier Commission, to establish the Third Frontier Economic Stimulus Advisory Board, to include transportation logistics and distribution infrastructure projects, to provide additional money for capital improvement projects of local subdivisions and for highway capital improvement projects, to modify the authority of the Ohio Coal Development Office, to administer coal research and development projects, to provide for advanced energy projects administered by the Ohio Air Quality Development Authority, to establish the Ohio Innovation Partnership Co-op/Internship Program, to extend the historical building rehabilitation tax credit, limit credit amounts, require regional distributive balance and economic effects to be considered, and to make an appropriation.

Current Status: 5/29/2008 - Consideration of Senate Amendments

HB555 **WORKERS' COMPENSATION BENEFITS** (ZEHRINGER, J) To prohibit an employee from receiving workers' compensation benefits in this state if the employee has received a decision on the merits of a claim filed in another state for the same injury or occupational disease, to allow an Ohio employer to obtain, through the Administrator of Workers' Compensation or an insurance company, workers' compensation insurance for claims arising in other states, and to make other changes to the Workers' Compensation Law regarding interstate workers' compensation claims.

Current Status: 5/20/2008 - Referred to Commerce and Labor Committee

HB562 **CAPITAL APPROPRIATIONS** (HOTTINGER, J) To make capital and other appropriations and to provide authorization and conditions for the operation of state programs.

Current Status: 5/29/2008 - Consideration of Senate Amendments

HJR5 **ECONOMIC STIMULUS BOND PACKAGE** (SEARS, B) To authorize the issuance of general and other obligations of the state to pay the costs relating to environmental and related conservation, preservation, and revitalization purposes.

Current Status: 5/28/2008 - ADOPTED BY SENATE

SB10 **SORN LAW** (AUSTRIA, S) To formally state the General Assembly's intentions in its upcoming deliberations on revising Ohio's Sex Offender Registration and Notification Law.

Current Status: 6/30/2007 - SIGNED BY GOVERNOR; Eff. 6/30/2007; certain sections different dates

- SB14** **STRONG/SAFE FAMILIES** (MILLER, R) To formally state the G.A.'s intentions in its upcoming deliberations on reforming Ohio's laws to encourage strong and safe families and communities in Ohio.
- Current Status:* 2/27/2007 - Referred to Judiciary - Criminal Justice Committee
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- SB17** **REPEAT OVI OFFENDERS** (GRENDALL, T) To increase certain penalties for repeat OVI offenders.
- Current Status:* 5/29/2008 - SUBSTITUTE BILL ACCEPTED & REPORTED OUT AS AMENDED
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- SB18** **SEALED CRIMINAL RECORDS** (CLANCY, P) To prohibit an offender from having a criminal record sealed when the underlying offense is importuning.
- Current Status:* 7/10/2007 - SIGNED BY GOVERNOR; Eff. 10/10/2007
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- SB22** **SEXUALLY VIOLENT PREDATORS** (FABER, K) To require that sexually violent predators who are released from prison be monitored by global positioning system devices.
- Current Status:* 5/9/2007 - Senate Judiciary - Criminal Justice, (Sixth Hearing)
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- SB70** **PAROLE BOARD MEMBERS** (MILLER, R) Limit Ohio Parole Board members to one six-year term.
- Current Status:* 3/14/2007 - Judiciary - Criminal Justice, (First Hearing)
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- SB97** **SORN PENALTIES** (STIVERS, S) To modify the penalties for violations of the Sexual Offender Registration and Notification Law, to require the inclusion of specified information on the statewide and county sheriffs' internet sex offender and child-victim offender databases, and to declare an emergency.
- Current Status:* 6/30/2007 - SIGNED BY GOVERNOR; Eff. 6/30/2007; certain sections different dates
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- SB139** **PREVAILING WAGE LAW** (MUMPER, L) To permit state institutions of higher education to

use either single or multiple prime bidding for public improvement projects; to exempt from the Prevailing Wage Law projects constructed by state institutions of higher education and projects constructed by private, non-profit organizations that receive public moneys to construct those projects; and to prohibit the Ohio School Facilities Commission from approving school district projects that specify the payment of prevailing wages.

Current Status: 2/5/2008 - Senate Finance and Financial Institutions, (First Hearing)

SB146 **OFFICE OF INTERNAL AUDITING** (SPADA, R) To create an Office of Internal Auditing within the Office of Budget and Management, to establish the State Audit Committee, and to prescribe their respective and interrelated functions.

Current Status: 5/22/2007 - Senate Finance and Financial Institutions, (Fourth Hearing)

SB195 **SMOKING** (CATES, G) To allow smoking in cigar bars and in outdoor seating areas of restaurants that are at least 20 feet away from an entrance, exit, or window of the restaurant.

Current Status: 10/24/2007 - Senate Health, Human Services and Aging, (Third Hearing)

SB197 **SEALED RECORDS** (SMITH, S) To modify the list of offenses the official records of which may not be sealed; to require a court to inform a defendant before accepting a guilty plea and before sentencing of the circumstances under which the official records in the case may be sealed; to require the sealing of the official records of a person who is found not guilty of an offense, who is the defendant named in a dismissed complaint, indictment, or information, or against whom a no bill is entered by a grand jury to prohibit the release by private individuals or entities of information contained in sealed official records; and to permit certain offenders who are not first offenders to apply for an order sealing their official records.

Current Status: 10/2/2007 - Referred to Judiciary - Criminal Justice Committee

SB206 **TAX CREDIT** (MASON, L) To create a tax credit for wages paid by employers to employees who have previously been convicted of felonies.

Current Status: 10/2/2007 - Referred to Ways and Means and Economic Development Committee

SB208 **REPEAT OFFENDERS** (GRENDALL, T) To establish a presumption that a court should impose on a target offender the longest prison term authorized for an offense and to specify longer prison terms that a court may impose on felony offenders with two or more previous felony violations.

Current Status: 5/29/2008 - SUBSTITUTE BILL ACCEPTED

SB220 **PROMOTING PROSTITUTION** (SCHURING, K) To provide increased penalties for the offenses of promoting prostitution, procuring, soliciting, loitering to engage in solicitation, and prostitution if the offense occurs in a school safety zone or within 1,000 feet of a school building or the boundaries of school premises.

Current Status: 5/28/2008 - REPORTED OUT AS AMENDED

SB228 **PRISONER RELEASE NOTIFICATION** (STIVERS, S) To require automatic notice to victims of first, second, or third degree felony offenses of violence of certain prisoner or alleged juvenile offender release or transfer proceedings; to expand victim participation in parole hearings; to require five years of post-release control for offenders who commit first, second, or third degree felony offense of violence; to require the Department of Rehabilitation and Correction to keep information on such offenders in a publicly accessible database for ten years following final discharge; to require the Department to provide certain information related to paroles to designated public officials; to require the Department to notify the appropriate prosecuting attorney when a felon serving a specified sentence is released pursuant to a pardon, commutation of sentence, parole, or completed prison term to prohibit the Parole Board from considering a sentence in effect since July 1, 1996, in making parole determinations; to make other changes related to the release of prisoners and victim's rights; to provide that voluntary manslaughter committed with a sexual motivation is a sexually oriented offense, makes an offender or juvenile offender registrant who commits it as a tier III sex offender/child-victim offender registrant who commits it as a public registry-qualified juvenile offender registrant; to name the victim and family notification provisions Roberta's Law; and to declare an emergency.

Current Status: 11/7/2007 - Senate Judiciary - Criminal Justice, (Third Hearing)

SB251 **PATH GRANT PROGRAM** (COUGHLIN, K) To create the Pilot Accessing to Health grant program and to make an appropriation.

Current Status: 1/29/2008 - Senate Finance and Financial Institutions, (Second Hearing)

SB256 **FELONIOUS ASSAULT** (WILSON, J) To allow a court to impose an additional prison term upon an offender who commits felonious assault against a minor.

Current Status: 4/2/2008 - Senate Judiciary - Criminal Justice, (First Hearing)

SB287 **WORKERS' COMPENSATION** (STIVERS, S) To allow an employer to reimburse the Administrator of Workers' Compensation for the first fifteen thousand dollars of medical bills incurred in any type of workers' compensation claim rather than allow an employer to pay directly only those medical bills incurred in medical-only claims.

Current Status: 4/2/2008 - Senate Insurance, Commerce and Labor, (First Hearing)

SB334 **WORKERS' COMPENSATION** (FABER, K) To prohibit an employee from receiving workers' compensation benefits in this state if the employee has received a decision on the merits of a claim filed in another state for the same injury or occupational disease, to allow an Ohio employer to obtain, through the Administrator of Workers' Compensation or an insurance company, worker's compensation insurance for claims arising in other states, and to make other changes to the Workers' Compensation Law regarding interstate workers' compensation claims.

Current Status: 5/29/2008 - PASSED BY HOUSE

SB335 **ECONOMIC STIMULUS** (CAREY, JR., J) To establish the Ohio Bioproducts Development Program and Ohio Biomedical Development Program to be administered by the Third Frontier Commission, to establish the Third Frontier Economic Stimulus Advisory Board, to expand the economic development programs administered by the Department of Development to include transportation logistics and distribution infrastructure projects of local subdivisions and for highway capital improvement projects, to modify the authority of the Ohio Coal Development Office, to administer coal research and development projects, to provide for advanced energy projects administered by the Ohio Air Quality Development Authority, to establish the Ohio Innovation Partnership Co-op/Internship Program, to extend the historical building rehabilitation tax credit, limit credit amounts, require regional distributive balance and economic effects to be considered, and to make an appropriation.

Current Status: 5/20/2008 - Senate Finance and Financial Institutions, (Second Hearing)

SJR7

ECONOMIC STIMULUS BOND PACKAGE (WAGONER, M) To authorize the issuance of general and other obligations of the state to pay the costs related to environmental and related conservation, preservation, and revitalization purposes.

Current Status: 5/20/2008 - Senate Finance and Financial Institutions, (Second Hearing)