



Ohio's Statehouse-to-Prison Pipeline

134th General Assembly (2021-2022)

March 2023

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Ohio at a Glance

Ohio's prison system was designed to incarcerate about 37,000 people, yet our prisons housed 43,820 as of December 2022. This is actually an improvement from the days where our prisons were bursting at the seams with nearly 50,000 people.

For example, fifteen years ago, in March 2008, Ohio's prison population was 49,889. In March 2013, it was 49,933. In March 2018, it was 49,337.

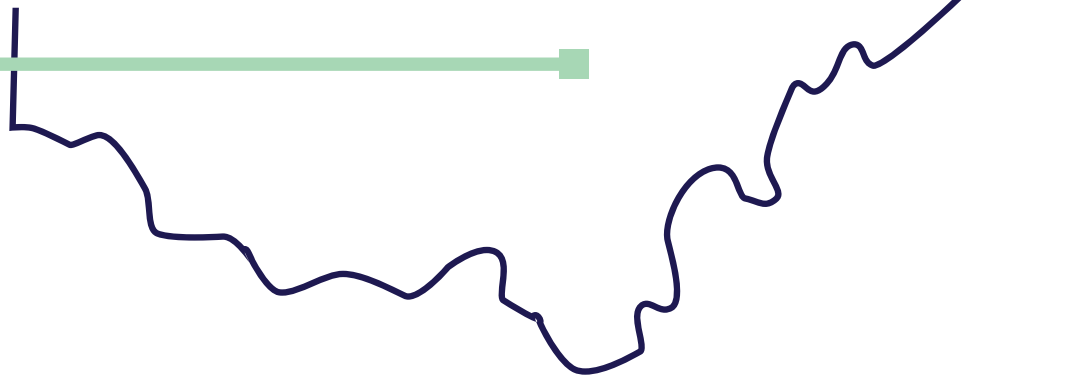
We do not know how much of this decrease is due to which factors, how long it will last, or if it will last. Not too long ago, COVID-19 temporarily halted court proceedings and courts faced a substantial backlog of cases when they resumed. For a period, the prison system stopped accepting new commitments because of COVID-19. As expected, these factors led to an obvious decline in Ohio's prison population.

Ohio also continues to expand its use of law, policies, and programs to divert some people from prison. Also, incremental expansions in record sealing, expungement, and other changes continue to help. This is all welcome progress.

On the other hand, Ohio's prison population is expected to noticeably grow because of legislation last session focused on a return to indefinite sentencing, among other bills highlighted in previous Statehouse-to-Prison Pipeline Reports.

Drug Possession remains the number one reason someone is sent to an Ohio prison, as has been the case since 2014. This one offense accounts for about 15.5% of all people sent to prison with no other individual offenses even cracking 10%. The failed War on Drugs rages on across Ohio.

What effects will these intertwined and often overlapping factors have on the future of Ohio's prison population and the number of people with felony records? Time will tell. But Ohio remains mired in a step forward/step backward approach to its prison and criminal legal systems.



Welcome to the ACLU of Ohio's latest edition of our Statehouse-to-Prison Pipeline Report. This report is our fourth full legislative session overview. **We peel back the layers to demonstrate how our state's ongoing mass incarceration crisis is directly fueled by numerous bills introduced and passed at the Ohio Statehouse, year-after-year, session-after-session.**

Of course, not all bills are equal when it comes to putting Ohioans in jail, prison, or saddling them with criminal records that greatly impact their ability to get jobs, housing, and education. Frankly, some bills contribute almost nothing to this problem because their aim and scope is narrow, meaning many times there will be few people convicted or imprisoned as a result of their passage.

Other bills may seem similarly innocuous. **But what appears to have a smaller impact grows over time.** The problem is supporters and sponsors advertise bills as having a minor role in mass incarceration, but when you multiply this vicious cumulative effect each and every session, **it's mass incarceration by a thousand cuts.**

The Statehouse-to-Prison Pipeline is the practice of introducing and/or passing bills to create new crimes, enhance existing penalties, and expand current laws that result in more people going to prison or jail.

We also identify bills that are introduced but do not pass, as many pieces of legislation fail to go the distance the first session they are introduced. However, many reappear in a subsequent legislative session and ultimately pass.

Even **the mere introduction of so many of these bills sends the signal** to fellow legislators, stakeholders, news media, and others the answer to almost everything legislators and others do not like, or do not understand, is solved through criminalization and incarceration.

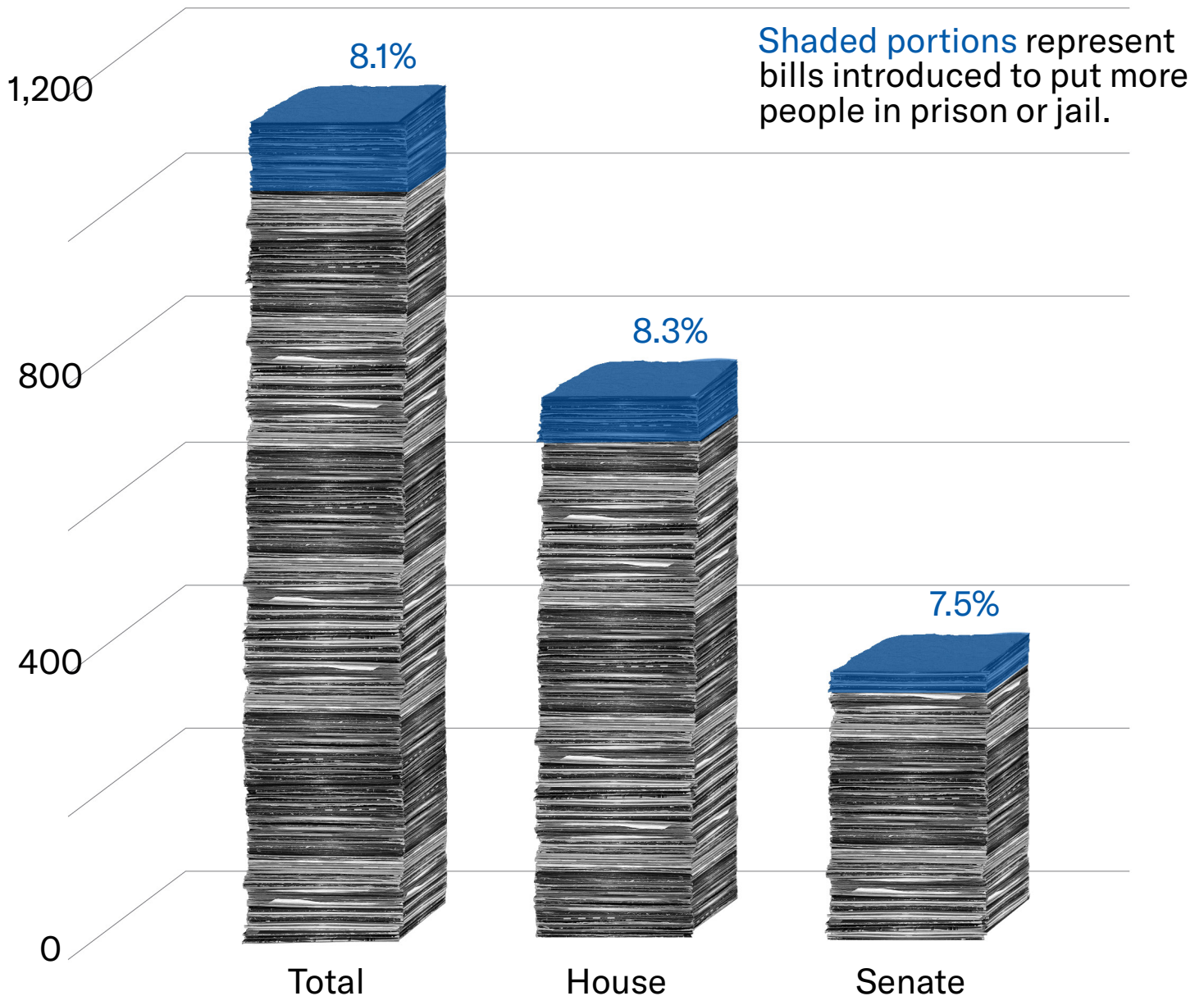
More specifically, mass incarceration via the legislature takes at least one, and often times a combination of, the following paths. Lawmakers will:

1. **Create new criminal offenses.** Often, this happens when laws already exist that adequately cover the targeted behavior.
2. **Enhance punishments found in current law.** If a law already exists, but legislators are not convinced the punishment is adequate, they will introduce and/or increase penalties. What was once a misdemeanor is now a felony. What was once a lower degree felony is now a higher one.
3. **Expand the scope of current law.** Where a law may address some specific situations, behavior, or people involved, legislators often tweak the current law by expanding the net to capture similar actions or parties they believe are not covered or adequately covered by current law.
4. **Eliminate or increase time frames under which a person can be prosecuted and convicted for illegal acts.**

The 134th Ohio General Assembly (2021-2022)

From January 2021 to December 2022, 1,124 bills were introduced in the Ohio General Assembly (OGA). Of those, 91 bills (8.1%) are what we consider Pipeline bills. More specifically, **63 of the 755 (8.3%) House bills and 28 of the 369 (7.5%) Senate bills contained mass incarceration provisions.**

The 134th OGA introduced bill breakdown



In the 134th General Assembly, 15 Pipeline bills passed. Thankfully, no individual bills passed that would have, by themselves, severely increased mass incarceration throughout Ohio. But the Statehouse-to-Prison Pipeline continues.

Comparing the 134th OGA to the 133rd, 132nd, and 131st

Of the past four sessions (eight years) the ACLU of Ohio has been publishing the **Statehouse-to-Prison Pipeline Report**, the 134th GA shows improvement over the others in a few ways. 91 total Pipeline bills introduced is tied for the lowest in four sessions. Even better, the percentage of Pipeline bills to total bills is 8.1%, also the best over this four-session period.

Interestingly, the Senate introduced almost half as many Pipeline bills (28) this past session as the one before (52). However, the Senate still passed nearly as many Pipeline bills — 6/9 (66.7%) this past session versus 7/15 (46.7%) during the 133rd OGA.

Multiyear bill breakdown and OGA session comparison

		Bills		
		Total	Pipeline	Passed
134 th OGA	House	755	63 (8.3%)	
	Senate	369	28 (7.5%)	
	Total	1,124	91 (8.1%)	15
133 rd OGA	House	805	60 (7.4%)	
	Senate	389	52 (13.3%)	
	Total	1,194	112 (9.4%)	9
132 nd OGA	House	796	94 (11.8%)	
	Senate	348	43 (12.3%)	
	Total	1,144	137 (12%)	22
131 st OGA	House	628	67 (10.6%)	
	Senate	376	24 (6.4%)	
	Total	1,004	91 (9.1%)	16

A Closer Look at the Pipeline

House Bill 356 would have radically changed sentencing for Drug Possession and Drug Trafficking, the top two reasons people end up in an Ohio prison. With HB 356, penalties would have increased dozens of times for these offenses, depending on the substance and amount. HB 356 also would have resulted in mandatory minimum prison time in numerous instances.

Passage of this bill or anything similar would explode budgets and further cement Ohio's failed War on Drugs. **Among bills introduced but not passed, HB 356 is, by any calculation, the worst mass incarceration bill introduced last session.** It is entirely possible HB 356 would have resulted in more people imprisoned, and for longer periods of time, than every other bill combined in this report.

House Bill 109, House Bill 22, and Senate Bill 16 were framed as responses to **policing protests** in Ohio and across the nation. They are common examples of the Statehouse-to-Prison Pipeline, creating new criminal laws for actions already illegal under Ohio law and upping the punishment for actions some legislators deemed worthy of harsher penalties.

Other bills last session demonstrated how extremely popular it is at the Ohio Statehouse to legislate in response to current events, even when laws already prohibit those publicized actions. These include **House Bill 408** (catalytic converter theft), **House Bill 44** (assaults against sports referees, etc.), **House Bill 740** ("hooning"), **House Bill 437** (postal package theft), and **Senate Bill 292** and **House Bill 462** ("swatting").

Hooning: Operating a motor vehicle in various dangerous manners to provoke reactions from spectators

Swatting: Reporting false information to provoke a law enforcement response

Regarding the elimination or reduction of statutes of limitation for prosecution and conviction, Ohio had several bills to accomplish this, all targeting sex offenses. They were House Bill 121, House Bill 266, and Senate Bill 198. Understandably, some peoples' concerns about the Statehouse-to-Prison Pipeline take a back seat to their concern about serious crimes. If one is adamant people should be imprisoned more often, and for longer periods of time – for any reason – **this grows Ohio's already bloated prison system.**

Therein lies the problem in Ohio. Legislators continually consider, work on, introduce, advance, and pass bills that perpetuate the Statehouse-to-Prison Pipeline. Much less common are bills to effectively reduce the collective reliance on mass incarceration. Always missing are bills that would truly reform the prison and criminal legal systems in positive ways that do not resemble our current status quo.

Comprehensive Criminal Legal System Reform

For many years, the Ohio General Assembly's approach to these problems has been a giant bill, once every several years, that addresses and improves the workings of the system(s) but does not provide needed, true comprehensive reform.

These bills typically provide some relief regarding record sealing and/or expungement, collateral sanctions, alternatives to prison, judicial release, and various other aspects of the criminal legal system.

They are useful. People are helped as a result. The ACLU of Ohio routinely supports these efforts.

Collateral sanctions:
Additional civil penalties that attach to a criminal conviction

The most recent examples of such omnibus bills that became law are **House Bill 86** (129th GA, effective Sep. 30, 2011), **Senate Bill 66** (132nd GA, effective Oct. 29, 2018), and this past session's **Senate Bill 288** (and its House companion, **House Bill 699**).

Senate Bill 288

The ACLU of Ohio endorsed Senate Bill 288 because it will help many Ohioans caught within our current, ineffective, and counterproductive criminal legal system. However, SB 288 also contained several provisions the ACLU of Ohio opposed. But, on balance, we feel the positives in SB 288 outweigh the objectionable parts of the bill. With a bill this size, that moved quickly at the end of the legislative session, we knew the reality would be added provisions that weaken the overall bill and its stated intentions.

Positive provisions in SB 288, now law, include:

- Expanding **judicial release**, including during an official State of Emergency;
- Expanding existing **“Good Samaritan”** overdose laws to include immunity for drug paraphernalia offenses or when someone is on community control or post-release sanctions;
- Expanding the amount of and type of **“earned credit”** people in prison may receive for participating in rehabilitative and other positive programming;
- Simplifying and expanding record **sealing and expungement** laws;
- Expanding **“transitional control,”** a program where people near the end of their prison sentences are transitioned back into society for employment, housing, education, and other reasons;
- Legalizing the use of fentanyl **drug testing strips** (see **HB 456**); and
- **Preventing** the General Assembly, for the next two years, from passing **collateral sanctions** bills that negatively impact professional licensing.

As **SB 288** wound its way through the Senate and House it picked up plenty of Pipeline provisions. Some were bills separately introduced then amended into SB 288. Others were the result of recent court decisions. These include:

- Expanding the offense of Gross Sexual Imposition and increasing the penalties;
- Expanding the authority to search people's homes and possessions while on community control or post-release control sanctions;
- Creating the crime of Fraudulent Assisted Reproduction (see **HB 64**);
- Increasing the penalty for Failure to Report Elder Abuse;
- Increasing penalties for Aggravated Vehicular Homicide when the victim is a firefighter or emergency medical personnel (see **SB 185**);
- Increasing penalties for Disturbing a Lawful Meeting when the gathering or meeting is religious in nature (see **HB 504**);
- Increasing Prostitution penalties when a person involved has developmental disabilities (see **HB 390**);
- Increasing criminal penalties for some specific speeding violations; and
- Removing the statutes of limitation for Conspiracy, or Attempt to Commit, or Complicity in Committing the offenses of Aggravated Murder or Murder (see **SB 16**).

Such changes were not surprising in a bill this size, although their inclusion in an otherwise positive bill is unfortunate. Taken individually or collectively, the ACLU of Ohio does not believe these particular additions will meaningfully fuel mass incarceration across the criminal legal and prison systems. The benefits of SB 288 outweigh the harms.

Positive Bills Introduced During the 134th OGA

Beyond SB 288, other positive bills were introduced, although most saw little to no actual movement. **House Bill 8**, a bill which incentivized the recording of custodial interrogations (i.e. when someone is in police custody and being questioned), passed and became law. As mentioned before, **House Bill 456**, to decriminalize fentanyl test strips, was amended into SB 288 and became law.

Bipartisan bills that saw little movement the ACLU of Ohio hopes will return include, but are not limited to: **House Bill 708**, which would retroactively reduce or eliminate penalties currently being served should the criminal law(s) a person was convicted under be amended; **House Bill 500**, another bipartisan bill, to end the mandatory bindover (transfer) of juveniles to adult courts; **House Bill 586**, which would expand current law regarding asking a court for post-conviction relief if/when DNA evidence may demonstrate innocence, and **Senate Bill 296** and **House Bill 558**, to expand the availability of naloxone to help prevent overdose deaths. There were also several bills, **HB 210**, **HB 362**, and **HB 498**, on the topic of marijuana legalization. We anticipate this topic will soon return at the Statehouse.

Two other major mass incarceration policy areas consumed much of the ACLU of Ohio's time, attention, and resources over the entire legislative session. Those were bail reform and death penalty abolition.

House Bill 315 and Senate Bill 182: Bail reform, pretrial fairness

HB 315 Sponsors: Hillyer (R), Leland (D); 33 Democrat, 10 Republican cosponsors

SB 182 Sponsors: McColley (R), S. Huffman (R); two Democrat, one Republican cosponsor(s)

Status: *Four hearings in House Criminal Justice Committee; three hearings in Senate Judiciary Committee*

The 134th OGA considered two pieces of companion legislation, HB 315 and SB 182, that would have made great strides toward ending Ohio's practice of wealth-based detention had they passed. The legislation proposed timelines, pathways for pretrial release, and a mechanism for considering a person's ability to pay a cash bond. These changes would have significantly reduced the number of people detained in Ohio's jails during the pretrial period and saved taxpayers hundreds of millions of dollars annually. Because the practice of wealth-based detention yields forced plea deals and worse case outcomes, this legislation likely would have reduced the state prison population as well.

At the end of the legislative session, the bills' progress stalled. However, an amendment to another bill created the framework for a **Bail Task Force that will collect and evaluate data regarding the use of cash bail in the state**, including the number of people held on felony and misdemeanor charges and the length of their detention.

House Bill 183 and Senate Bill 103: Abolish Ohio's death penalty

HB 183 Sponsors: Schmidt (R), Miller (D); 17 Democrat, six Republican cosponsors

SB 103 Sponsors: Huffman (R), Antonio (D); six Democrat and three Republican cosponsors

Status: *Five hearings in House Criminal Justice Committee; two hearings in Senate Judiciary Committee*

During the 134th General Assembly, the Ohio legislature considered two companion bills, HB 183 and SB 103, which sought to abolish the state's death penalty. In place of capital punishment, the bills generally required those who are convicted of or plead guilty to a crime that previously qualified for capital punishment (e.g. aggravated murder, terrorism, etc.) be sentenced to life imprisonment; parole eligibility may or may not be available after a certain amount of time served, depending upon the type of crime.

HB 183's five hearings in the House Criminal Justice Committee represent the most progress an abolition bill has made in the legislature since the General Assembly reinstated the death penalty in 1981.

How to read the Pipeline overview

Of the 1,124 bills introduced during the 134th OGA, the following are what the ACLU of Ohio refers to as Pipeline bills. **In short, these are bills that would put more people in Ohio's prisons and jails.** Like past reports, this list does not include bills where the punishment starts as a minor misdemeanor and/or a fine but ultimately scales up to possible prison or jail sentences with repeated violations. Bills like those do not lead to the overwhelming mass incarceration problems we wish to highlight in this report.

House Pipeline Bills



A rectangle indicates a bill that was signed into law by the Governor

House Bill 3: Domestic Violence

Primary Sponsors: Boyd(D); Carruthers(R)

Cosponsors: 41 R, 34 D

Status: *Passed House 91-2; 1 hearing in Senate Judiciary*

Info: Expands Aggravated Murder (and, by extension, crimes eligible for the death penalty) to include family and household members with previous convictions; expands Domestic Violence to include strangulation or impeding of breathing; expands Violating a Protection Order to include violations of Extreme Risk Protection Orders (ERPOs), created by HB 3.

House Bill 11: Police Database

Primary Sponsors: Sheehy(D); Hicks-Hudson(D)

Cosponsors: 10 D, 1 R

Status: *1 hearing in House State & Local Government*

Info: Creates misdemeanor penalties for unauthorized usage of data in police database established by bill.

House Bill 22: Obstructing Justice

Primary Sponsors: LaRe(R); Wilkin(R)

Cosponsors: 32 R, 0 D

Status: *Passed House 61-33*

Info: Expands Obstructing Justice offense and creates two new criminal laws, Diverting or Obstructing Attention of a Law Enforcement Officer and Distracting Attention of a Law Enforcement Officer.

House Bill 27: Unsecured Vehicle Loads

Primary Sponsor: Patton(R)

Cosponsors: 3 R, 2 D

Status: *Passed House 84-9; 1 hearing in Senate Judiciary*

Info: Criminalizes failing to secure a vehicle load when someone is injured as a result of the fallen load.

House Bill 29: Sports Gambling

Primary Sponsors: Wiggam(R), A. Miller(D)

Cosponsors:

Status: *Passed and enacted.*

Info: Creates numerous criminal penalties, mostly felonies, for violations of sports gambling laws established by the bill.

House Bill 44: Assaults vs. Sports Officials

Primary Sponsors: Roemer(R); J. Miller(D)

Cosponsors: 30 R, 10 D

Status: *Passed House 80-9; 2 hearings in Senate Judiciary*

Info: Increases felony penalty for Assault when committed against a school sports official (i.e. referee, umpire, etc.).

House Bill 64: Fraudulent Assisted Reproduction

Primary Sponsor: Powell(R)

Cosponsors: 7 R, 1 D

Status: *Passed by House Criminal Justice (NOTE: The language of this bill was amended into, passed & is now law after being combined with SB 288).*

Info: Creates new crime, Fraudulent Assisted Reproduction, and establishes felony penalties for violations.

House Bill 65: Electronic Instant Bingo

Primary Sponsors: LaRe(R); Holmes(R)

Cosponsors: 8 R, 1 D

Status: *No hearings*

Info: Expands current bingo laws to include electronic instant bingo. Creates various misdemeanor (first offenses) and felony (subsequent offenses) penalties for violations, similar to existing law for other bingo regulations and violations.

House Bill 78: Electronic Monitoring in Long-Term Care Facilities

Primary Sponsors: Brent(D); Crossman(D)

Cosponsors: 8 D, 0 R

Status: *1 hearing in House, Aging & Human Services*

Info: Creates misdemeanor offense of Tampering with an Electronic Monitoring Device.

House Bill 93: Address Confidentiality

Primary Sponsors: Abrams(R); LaRe(R)

Cosponsors: 32 R, 27 D

Status: *Passed and enacted.*

Info: Expands current law's criminal, misdemeanor penalties regarding disclosure of confidential information.

House Bill 107: Elevator Licensing

Primary Sponsor: Baldridge(R)

Cosponsors: 11 R, 18 D

Status: *Passed and enacted.*

Info: Recklessly violating the elevator licensing law established by the bill may result in up to 30 days in jail.

House Bill 109: Riot, Vandalism, etc. Laws

Primary Sponsors: Abrams(R); Carruthers(R)

Cosponsors: 34 R, 0 D

Status: *Passed House 59-35; 1 hearing in Senate Judiciary*

Info: Creates four new criminal offenses: Riot Assault, Riot Vandalism, Harassment in a Place of Public Accommodation, and Bias Motivated Intimidation and expands and enhances four existing ones: Riot, Aggravated Riot, Disorderly Conduct, and Vandalism.

House Bill 110: State Budget Bill

Primary Sponsor: Oelslager(R)

Cosponsors: 51 R, 1 D

Status: *Passed and enacted.*

Info: State budget bill but with several criminal penalties created or enhanced including those for electronic instant bingo, hospitals operating without a license, and providing skilled and/or nonmedical home health services without a license.

House Bill 116: Computer Crimes

Primary Sponsor: Baldridge(R)

Cosponsors: 26 R, 14 D

Status: *Passed House 78-0; Passed Senate Judiciary Committee*

Info: Creates several new criminal offenses, with felony penalties, generally involving unauthorized computer, computer network, etc. access and/or data theft.

House Bill 121: Spousal Exceptions for Sex Assaults

Primary Sponsors: Lanese(R), Boggs(D)

Cosponsors: 2 R, 10 D

Status: *2 hearings in House Criminal Justice*

Info: Eliminates current law's spousal exceptions for Rape, Sexual Battery, Unlawful Sexual Conduct with a Minor, Gross Sexual Imposition, Sexual Imposition, and Importuning.

House Bill 161: Database for Child Abuse Offenses

Primary Sponsor: Lampton(R)

Cosponsors: 35 R, 13 D

Status: *Passed House 87-3; 1 hearing in Senate Judiciary*

Info: Includes child abuse offenses in existing violent offender database and applying current felony penalty for failure to enroll or reenroll.

House Bill 172: Fireworks

Primary Sponsors: Baldridge(R), O'Brien(D)

Cosponsors: 25 R, 3 D

Status: *Passed and enacted.*

Info: Prohibits negligent use of fireworks while intoxicated.

House Bill 179: Long-Term Care Licensing

Primary Sponsors: Ginter(R), Fraizer(R)

Cosponsors: 1 R, 0 D

Status: *1 hearing in House Families, Aging & Human Services (NOTE: The language of this bill passed & is now law after being combined with HB 110, the main budget bill).*

Info: Establishes misdemeanor penalties for providing unlicensed skilled home health services or nonmedical home health services.

House Bill 186: First-Time Home Buyers

Primary Sponsors: Swearingen(R); Wilkin(R)

Cosponsors: 41 R, 32 D

Status: *Passed House 90-0*

Info: Criminalizes knowingly making a false statement on a form, affidavit, etc. associated with this program.

House Bill 196: Surgical Assistants

Primary Sponsors: Kelly(D); Carruthers(R)

Cosponsors: 3 R, 9 D

Status: *Passed House 67-2; no Senate hearings*

Info: Creates criminal penalties for practicing as a surgical assistant without a license.

House Bill 205: School Hazing

Primary Sponsors: Ghanbari(R); Sheehy(D)

Cosponsors: 5 R, 4 D

Status: *3 hearings in House Primary & Secondary Education*

Info: Increases current hazing criminal penalties, creates three new felony offenses, and creates misdemeanor penalties for failure to report.

House Bill 226: Intimidation Offenses

Primary Sponsors: Pavliga(R); A. Miller(D)

Cosponsors: 32 R, 21 D

Status: *Passed House 94-0; 1 hearing in Senate Judiciary*

Info: Expands Intimidation in a Criminal Case offenses to include guardians ad litem and court appointed special advocates when victims.

House Bill 257: Emergency Risk Protection Orders

Primary Sponsors: Russo(D); M. Smith(D)

Cosponsors: 0 R, 17 D

Status: *1 hearing in House Government Oversight*

Info: Creates new offense, Having a Firearm while Under Extreme Risk Protection Order Disability, for people who violate such orders created by the bill. Criminalizes filing an Extreme Risk Protection Order (ERPO) with certain false allegations. Expands offense of Having Weapons while Under Disability to include violations of ERPOs.

House Bill 259: Firearms Transfers

Primary Sponsors: Robinson(D); A. Miller(D)

Cosponsors: 0 R, 33 D

Status: *1 hearing in House State & Local Government*

Info: Creates Illegal Transfer of a Firearm offense and establishes misdemeanor penalties for violations.

House Bill 262: Firearms Storage

Primary Sponsors: Miranda(D); Kelly(D)

Cosponsors: 0 R, 17 D

Status: *1 hearing in House Ways & Means*

Info: Creates Criminally Negligent Storage of a Firearm offense with misdemeanor and felony penalties depending on circumstances.

House Bill 266: Rape – Statute of Limitations

Primary Sponsors: Galonski(D); Miranda(D)

Cosponsors: 0 R, 15 D

Status: *1 hearing in House Criminal Justice*

Info: Eliminates statute of limitations for criminal prosecution of Rape plus spousal exceptions.

House Bill 276: Proceeds from Prostitution

Primary Sponsors: Powell(R); Schmidt(R)

Cosponsors: 30 R, 3 D

Status: *Passed House 81-4; no Senate hearings*

Info: Creates new criminal offense, Receiving Proceeds of Prostitution, with felony penalties for violations.

House Bill 287: Strangulation by Law Enforcement

Primary Sponsors: Lepore-Hagan(D); Galonski(D)

Cosponsors: 0 R, 10 D

Status: *1 hearing in House Criminal Justice*

Info: Creates felony offense of Strangulation by a Law Enforcement Officer.

House Bill 296: Election Laws

Primary Sponsors: Lepore-Hagan(D); Liston(D)

Cosponsors: 0 R, 23 D

Status: *1 hearing in House State & Local Government*

Info: Increases felony penalties for election fraud and related offenses.

House Bill 356: Prison Labor

Primary Sponsors: Loychik(R); Bird(R)

Cosponsors: 3 R, 0 D

Status: *3 hearings in House Criminal Justice*

Info: Increase penalties at least 64 ways/times for Drug Possession and Drug Trafficking felony offenses.

House Bill 359: Art & Music Therapist Licensing

Primary Sponsors: Russo(D); Callender(R)

Cosponsors: 0 R, 5 D

Status: *1 hearing in House State & Local Government*

Info: Establishes misdemeanor penalties for practicing art and music therapy without a license.

House Bill 361: Railroad Crossings

Primary Sponsors: Hall(R); Miranda(D)

Cosponsors: 4 R, 4 D

Status: 1 hearing in House Transportation & Public Safety

Info: Establishes a misdemeanor penalty when railroads fail to, or do not properly file, required reports.

House Bill 378: Mifepristone

Primary Sponsors: Koehler(R); Fowler Arthur(R)

Cosponsors: 24 R, 0 D

Status: 3 hearings in House Health

Info: Creates new criminal offense Failure to Disclose the Reversibility of a Mifepristone Abortion.

House Bill 383: Weapon Under Disability

Primary Sponsor: Koehler(R)

Cosponsors: 0 R, 0 D

Status: 4 hearings in House Government Oversight

Info: Expands current Having Weapons While Under Disability law and increases felony penalties in certain circumstances.

House Bill 390: Sexual Assault Evidence

Primary Sponsors: Lanese(R); John(R)

Cosponsors: 35 R, 22 D

Status: Passed House 89-0; Passed Senate Judiciary

Info: Creates new criminal offense, Engaging in Prostitution with a Person with a Developmental Disability, with a felony penalty.

House Bill 402: Midwife Regulations

Primary Sponsors: Boyd(D); Hicks-Hudson(D)

Cosponsors: 0 R, 12 D

Status: 1 hearing in House Families, Aging & Human Services

Info: Creates felony penalties for practicing as a midwife without a license.

House Bill 406: Voyeurism

Primary Sponsor: Schmidt(R)

Cosponsors: 2 R, 0 D

Status: 3 hearings in House Criminal Justice

Info: Expands the offense of Voyeurism and increases penalties in some instances.

House Bill 408: Catalytic Converter Theft

Primary Sponsor: Young(R)

Cosponsors: 19 R, 2 D

Status: 3 hearings in House Criminal Justice

Info: Enhances current penalties for Theft, Receiving Stolen Property, and Complicity when those offenses involve catalytic converters.

House Bill 419: Adult Abuse

Primary Sponsors: Troy(D); Seitz(R)

Cosponsors: 22 R, 22 D

Status: Passed House 85-0

Info: Replaces current law's penalty of a \$500 fine when a mandatory reporter fails to report adult abuse with a misdemeanor penalty.

House Bill 427: Human Trafficking

Primary Sponsors: White(R); Manchester(R)

Cosponsors: 52 R, 25 D

Status: Passed and enacted.

Info: Expands and enhances Trafficking in Persons and Compelling Prostitution felony offenses.

House Bill 437: Postal Package Theft

Primary Sponsor: Crossman(D)

Cosponsors: 2 R, 5 D

Status: 1 hearing in House Criminal Justice

Info: Creates new felony offense of Postal Package Theft.

House Bill 462: Swatting

Primary Sponsors: K.Miller(R); Carfagna(R)

Cosponsors: 35 R, 6 D

Status: Passed and enacted.

Info: Creates new felony offense of Swatting (i.e. reporting false information to provoke a law enforcement response) and adds it to existing list of violent offenses.

House Bill 475: Hospital/Special Police Officers

Primary Sponsors: Fraizer(R); Plummer(R)

Cosponsors: 7 R, 1 D

Status: 1 hearing in House Criminal Justice

Info: Enhances current penalties for Felonious Assault, Aggravated Assault, and Assault when the victim is a hospital or "special" police officer.

House Bill 485: Drone Regulations

Primary Sponsor: Holmes(R)

Cosponsors: 3 R, 0 D

Status: 1 hearing in House Criminal Justice

Info: Creates various misdemeanor and felony offenses for violating bill's regulations for unmanned aerial vehicles.

House Bill 491: Family & Medical Leave

Primary Sponsors: Boyd(D); Russo(D)

Cosponsors: 0 R, 31 D

Status: 1 hearing in House Families, Aging & Human Services

Info: Creates felony penalties for failing to remit premiums withheld from employees' wages.

House Bill 496: Midwife Regulations

Primary Sponsor: Koehler(R)

Cosponsors: 2 R, 0 D

Status: 3 hearings in House Families, Aging & Human Services

Info: Creates felony penalties for practicing as a midwife without a license.

House Bill 504: Disturbing Religious Gatherings

Primary Sponsors: Carfagna(R); M.Johnson(R)

Cosponsors: 60 R, 22 D

Status: Passed and enacted. (Same changes also passed via SB 288)

Info: Expands current Disturbing a Lawful Meeting offense to enhance misdemeanor penalties when the meeting or gathering is for religious worship and related situations.

House Bill 579: Road Brine

Primary Sponsor: Lightbody(D)

Cosponsors: 0 R, 9 D

Status: 1 hearing in House Energy & Natural Resources

Info: Establishes criminal penalties for surface application of brine from oil and gas wells on roads and highways.

House Bill 580: Failure to Comply

Primary Sponsor: K.Miller(R)

Cosponsors: 13 R, 0 D

Status: 1 hearing in House Criminal Justice

Info: Increases felony penalties for eluding or fleeing a police officer.

House Bill 598: Abortion Ban

Primary Sponsor: Schmidt(R)

Cosponsors: 22 R, 0 D

Status: 3 hearings in House Government Oversight

Info: Creates new criminal offenses Criminal Abortion, Promoting Abortion, and Abortion Manslaughter.

House Bill 626: Failure to Comply

Primary Sponsors: Patton(R)

Cosponsors: 0 R, 0 D

Status: 1 hearing in House Criminal Justice

Info: Expands and enhances penalties for current Failure to Comply with an Order or Signal from a Police Officer offenses for various offenses involving a motor vehicle.

House Bill 630: Concealed Weapons

Primary Sponsor: Galonski(D)

Cosponsors: 0 R, 0 D

Status: 1 hearing in House Government Oversight

Info: Increases misdemeanor penalty for existing Failure to Notify offense.

House Bill 670: Railroad Crossings

Primary Sponsors: Lepore-Hagan(D); Hoops(R)

Cosponsors: 5 R, 25 D

Status: 1 hearing in House Criminal Justice

Info: Expands current railroad crossing laws and prohibitions to include on-track equipment and keeps current misdemeanor penalties.

House Bill 672: Illegal Tracking Devices

Primary Sponsors: Patton(R); Sykes(D)

Cosponsors: 0 R, 0 D

Status: 1 hearing in House Criminal Justice

Info: Creates new offense Illegal Use of a Tracking Device or Application regarding unauthorized placement of tracking devices on others' cars.

House Bill 674: Alcohol & Minors

Primary Sponsor: Ray(R)

Cosponsors: 0 R, 0 D

Status: 1 hearing in House Criminal Justice

Info: Increases penalties for providing alcohol to minors if it causes the death of another.

House Bill 684: Adulterated Pet Food

Primary Sponsors: Brinkman(R); Lanese(R)

Cosponsors: 5 R, 0 D

Status: 2 hearings in House Conservation & Agriculture

Info: Expands current law regarding adulterated commercial feed to include pet food, with similar restrictions, and maintains current misdemeanor penalties.

House Bill 699: Omnibus Bill

Primary Sponsors: Seitz(R); Galonski(D)

Cosponsors: 3 R, 4 D

Status: 2 hearings in House Criminal Justice

Info: See page 5 (SB 288)

House Bill 714: Respiratory Therapists

Primary Sponsors: Young(R); John(R)

Cosponsors: 0 R, 1 D

Status: No hearings

Info: Establishes various criminal penalties for violating regulations for and licensing of advanced practice respiratory therapists.

House Bill 718: Infant Formula

Primary Sponsors: Davis(D); Crossman(D)

Cosponsors: 0 R, 12 D

Status: *No hearings*

Info: Increases misdemeanor penalty for recklessly violating existing law regarding pricing during infant formula shortages.

House Bill 725: Animal Surgical Procedures

Primary Sponsors: Lanese(R); Hoops(R)

Cosponsors: 4 R, 2 D

Status: *No hearings*

Info: Prohibits performing various surgical procedures on a dog unless by veterinarians.

House Bill 730: Mental Health Assistants Licensing

Primary Sponsor: Pavliga(R)

Cosponsors: 0 R, 0 D

Status: *1 hearing in House Behavioral Health & Recovery Supports*

Info: Prohibits a non-licensed certified mental health assistant from representing themselves as licensed plus other related licensing violations.

House Bill 735: Domestic Violence

Primary Sponsors: LaRe(R); K.Milller(R)

Cosponsors: 8 R, 0 D

Status: *No hearings*

Info: Increases penalties for third degree felony Domestic Violence offenses and creates a presumption for a prison term.

House Bill 740: Hooning

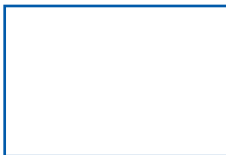
Primary Sponsors: K.Miller(R); Plummer(R)

Cosponsors: 0 R, 0 D

Status: *No hearings*

Info: Creates new crime "Hooning" (i.e. operating a motor vehicle in various dangerous manners to provoke reactions from spectators).

Senate Pipeline Bills



A rectangle indicates a bill that was signed into law by the Governor

Senate Bill 16: Criminal Offenses

Primary Sponsor: Schaffer(R)

Cosponsors: 31 R, 6 D

Status: *Passed and enacted.*

Info: Enhances Assault and Menacing offenses when the victim is a first responder; creates offense Unlawfully Impeding Public Passage of an Emergency Services Provider; enhances and expands Importuning offense; expands Voyeurism offense; removes statutes of limitation for Conspiracy and Attempt to Commit Aggravated Murder and Murder.

Senate Bill 25: Drug Trafficking Near Treatment

Primary Sponsor: Gavarone(R)

Cosponsors: 36 R, 8

Status: *Passed and enacted.*

Info: Enhances penalties for Drug Trafficking when done on premises of or near a drug treatment facility.

Senate Bill 34: Arson

Primary Sponsor: Brenner(R)

Cosponsors: 5 R, 0 D

Status: *2 hearings in Senate Judiciary*

Info: Expands Arson, Aggravated Arson, Disrupting Public Services, Vandalism, Criminal Damaging or Endangering, and Criminal Mischief offenses and enhances penalties under various circumstances.

Senate Bill 39: Law Enforcement Assault

Primary Sponsor: Schaffer(R)

Cosponsors: 1 R, 0 D

Status: *2 hearings in Senate Judiciary*

Info: Enhances penalties for violations of Aggravated Assault, Tampering with Evidence, Falsification, and Falsification in Theft offenses when the victim is a peace officer. Modifies statutes of limitation for several other offenses for same victims.

Senate Bill 41: Restitution

Primary Sponsor: Schaffer(R)

Cosponsors: 3 R, 0 D

Status: 2 hearings in Senate Judiciary

Info: Slightly expands Vandalism offense(s) to include additional government property.

Senate Bill 54: Telecommunications Fraud

Primary Sponsor: Gavarone(R)

Cosponsors: 45 R, 32 D

Status: Passed and enacted.

Info: Enhances felony penalty for Telecommunications Fraud when the victim is elderly, disabled, or an active duty service member or their spouse.

Senate Bill 72: Assault by Law Enforcement

Primary Sponsors: S.Williams(D); Thomas(D)

Cosponsors: 0 R, 5 D

Status: 1 hearing in Senate Judiciary

Info: Creates criminal offense Assault by a Law Enforcement Officer, with misdemeanor or felony penalties, depending on circumstances.

Senate Bill 77: Firearm Alterations

Primary Sponsor: Thomas(D)

Cosponsors: 0 R, 4 D

Status: No hearings

Info: Creates criminal offense Illegal Rate-of-Fire Acceleration Conduct (F4) for selling, possession, manufacturing, etc. parts to accelerate the rate of fire for a semi-automatic firearm.

Senate Bill 90: Strangulation & Domestic Violence

Primary Sponsors: Kunze(R); Antonio(D)

Cosponsors: 0 R, 0 D

Status: 4 hearings in Senate Judiciary

Info: Expands Domestic Violence offense to include strangulation, restricting breathing, etc.

Senate Bill 113: Fireworks

Primary Sponsors: Rulli(R); Johnson(R)

Cosponsors: 33 R, 3 D

Status: Passed and vetoed.

Info: Prohibits person who is intoxicated or in possession of intoxicating substances from negligently using fireworks.

Senate Bill 123: Abortion Ban

Primary Sponsors: Roegner(R); O'Brien(R)

Cosponsors: 8 R, 0 D

Status: 2 hearings in Senate Health

Info: Creates offenses Criminal Abortion, Promoting Abortion, Abortion Manslaughter.

Senate Bill 126: Hazing

Primary Sponsors: Kunze(R); Gavarone(R)

Cosponsors: 57 R, 35 D

Status: Passed and enacted.

Info: Expands various aspects of current Hazing offense and enhances penalties.

Senate Bill 138: Emergency Risk Protection Orders

Primary Sponsor: S.Williams(D)

Cosponsors: 1 R, 6 D

Status: No hearings

Info: Creates new offense Having a Firearm while Under Extreme Risk Protection Order Disability for people who violate such orders, created by the bill. Criminalizes filing an order with certain false allegations. Expands offense Having Weapons while Under Disability to include violations of ERPOs.

Senate Bill 149: Bias-Motivated Crimes

Primary Sponsors: Maharath(D); Antonio(D)

Cosponsors: 0 R, 3 D

Status: 1 hearing in Senate Judiciary

Info: Modifies, re-names and expands the scope of current Ethnic Intimidation offense.

Senate Bill 157: Abortion

Primary Sponsors: Johnson(R); S.Huffman(R)

Cosponsors: 64 R, 0 D

Status: Passed and signed.

Info: Creates felony offenses Abortion Manslaughter and Failure to Render Medical Care to an Infant Born Alive for failing to preserve the health or life of a child born after an attempted abortion. Failing to adhere to reporting requirements in the bill is also a felony offense.

Senate Bill 164: Companion Animals

Primary Sponsors: Hottinger(R); Yuko(D)

Cosponsors: 20 R, 11 D

Status: Passed and enacted.

Info: Expands and enhances penalties for animal-related offenses involving companion animals, methods of killing animals by shelters, and adulterated pet food.

Senate Bill 176: Sports Gambling

Primary Sponsors: Antani(R); Manning(R)

Cosponsors: 5 R, 2 D

Status: Passed Senate 30-2

Info: Creates numerous criminal penalties, mostly felonies, for violations of sports gambling laws established by the bill.

Senate Bill 185: Emergency Powers

Primary Sponsor: Schaffer(R)

Cosponsors: None

Status: *Passed Senate 23-7; Passed House 55-22; Senate refused to concur with House amendments*

Info: Expands Aggravated Vehicular Homicide offense, with a mandatory minimum, when the victim is a firefighter or emergency services worker.

Senate Bill 198: Rape

Primary Sponsor: Antonio(D)

Cosponsors: 2 R, 4 D

Status: *1 hearing in Senate Judiciary*

Info: Eliminates statute of limitations for prosecution of Rape and related offenses.

Senate Bill 206: Art & Music Therapist Licensing

Primary Sponsors: Yuko(D); Brenner(R)

Cosponsors: 1 R, 2 D

Status: *1 hearing in Senate Health*

Info: Criminalizes unlicensed people from acting as or presenting themselves as art or music therapists (penalty differs art vs music).

Senate Bill 211: Debt Adjusting

Primary Sponsor: Hackett(R)

Cosponsors: 0 R, 0 D

Status: *Passed Senate Financial Institutions & Technology*

Info: Criminalizes recklessly failing to adhere to federal law regarding debt adjusting; criminalizes charging certain fees above a specified amount.

Senate Bill 218: Voyeurism

Primary Sponsor: Antani(R)

Cosponsors: 0 R, 0 D

Status: *1 hearing in Senate Judiciary*

Info: Increases numerous penalties for Voyeurism depending on circumstances and prior offenses.

Senate Bill 267: School Bullying

Primary Sponsor: S.Williams(D)

Cosponsors: 0 R, 0 D

Status: *No hearings*

Info: Creates the new offense Aggravated Bullying.

Senate Bill 288: Omnibus

Primary Sponsor: Manning(R)

Cosponsors: 25 R, 18 D

Status: *Passed and signed.*

Info: See page 5

Senate Bill 292: Swatting

Primary Sponsor: Brenner(R)

Cosponsors: 2 R, 0 D

Status: *1 hearing in Senate Judiciary*

Info: Creates new felony offense of Swatting (reporting false information to provoke a law enforcement response).

Senate Bill 304: Abortion Drugs

Primary Sponsor: S.Huffman(R)

Cosponsors: 9 R, 0 D

Status: *No hearings*

Info: Creates new criminal offense Unlawful Provision of an Abortion-Inducing Drug; criminalizes recklessly violating the Abortion-Inducing Drug Certification Program created by the bill.

Senate Bill 322: Sex Offenses

Primary Sponsor: Hackett(R)

Cosponsors: 0 R, 0 D

Status: *No hearings*

Info: Expands offenses Sexual Battery, Rape, Failure to Report a Crime, and a handful of related others and enhances some penalties.

Senate Bill 339: Tracking Devices

Primary Sponsors: Manning(R); Antonio(D)

Cosponsors: 1 R, 1 D

Status: *2 hearings in Senate Judiciary*

Info: Creates new offense Illegal Use of a Tracking Device or Application regarding unauthorized placement of tracking devices on others' cars.

Acknowledgements

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