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Substitute Bill Comparative Synopsis

Sub. H.B. 699

134th General Assembly

House Criminal Justice

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This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

H.B. 699 (As Introduced)	Sub. H.B. 699 (I_134_2658-5)
Illegal use or possession of marihuana drug paraphernalia – criminal record	
No provision.	Provides that an arrest or conviction for illegal use or possession of marihuana drug paraphernalia does not constitute a criminal record and does not need to be reported by the person so arrested or convicted in response to any inquires about the person's criminal record *(R.C. 2925.141(F)(2))*.

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No provision.	Repeals a provision that authorizes the court to suspend for not more than five years the offender's driver's or commercial driver's license or permit *(R.C. 2925.141(G)(1))*.
No provision.	Removes a conviction for illegal use or possession of marihuana drug paraphernalia from a list of disqualifying offenses for certain categories of service, employment, licensing, or certification *(R.C. 109.572(A)(3)(a))*.
Controlled Substance Good Samaritan Law – community control or post release control	
No provision.	Provides that persons on community control or post release control are immune from prosecution for minor drug offenses and drug paraphernalia offenses under the Controlled Substance Good Samaritan Law *(R.C. 2925.11(B)(2)(a)(viii))*.
No provision.	Provides that persons on community control and post release control are immune for a violation of a community control sanction or for a violation of a post release control sanction under the Controlled Substance Good Samaritan Law *(R.C. 2925.11(B)(2)(c), 2929.13(E)(2), 2929.141(B), 2929.15(B), 2929.25(D), and 2967.28(F))*.
Underage drinking – penalty	
No provision.	Reduces the penalty for underage drinking from a first degree misdemeanor to a third degree misdemeanor *(R.C. 4301.99(C) and (D))*.
Operating a vehicle after underage alcohol consumption (OVAUAC) – penalty enhancement	
Retains provisions of current law that provide for consideration of prior convictions of operating a vehicle or vessel after underage alcohol consumption as a penalty enhancement or for other specified	Modifies provisions of current law that provide for consideration of prior convictions of operating a vehicle or vessel after underage

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purposes *(R.C. 2929.01, 2929.13, 2929.14, 2941.1413, 4511.19, and R.C. 1547.11, 1547.99, 2903.06, 2903.08, 2903.13, 2929.142, 2929.24, 2941.1415, 2941.1416, 2941.1421, 2941.1423, 4510.17, 4511.181, 4511.191, 4511.192, 4511.193, 4511.195, and 5147.30, not in the bill)*.	alcohol consumption as a penalty enhancement or for other specified purposes by: 1. Removing a conviction of a prior OVUAC offense (while under age 21, operating a vehicle with a specified prohibited concentration of alcohol in the person's whole blood, blood serum or plasma, breath, or urine *(R.C. 4511.19(B))* as a penalty enhancement for subsequent conviction of certain offenses. The penalty enhancements include an increased term of confinement, a longer driver's license suspension, impoundment of vehicle, a higher fine, etc. The offenses with respect to which this removal applies are: *(respectively, R.C. 4511.19(H), 4511.19(G), 4511.191, 2903.06, 2903.08, 1547.11, 1547.111, and 1547.99)*: (a) a current OVUAC offense, (b) an OVI offense, (c) refusing to submit to a chemical test (i.e., "implied consent"), (d) aggravated vehicular homicide, (e) aggravated vehicular assault, and (f) operating a watercraft vessel while under the influence; 2. Repealing the specification that imposes an additional six-month jail term for an offender who commits an OVUAC offense and has been convicted of or pleaded guilty to five or more prior equivalent offenses *(repeal of R.C. 2941.1416)*; 3. Removing consideration of prior OVUAC offenses when considering whether an offender is eligible for the enhanced prison term for the multiple OVI specification *(R.C. 2941.1415)*; 4. Removing consideration of a prior operating a watercraft vessel after underage consumption of alcohol offense (*R.C. 1547.11(B))* in order to enhance the penalty of a current offense (similar to OVUAC, above);

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	5. Removing a conviction of an OVUAC offense or operating a watercraft vessel after underage consumption of alcohol offense from the definition of "equivalent offense" *(R.C. 4511.181)* that applies to the Motor Vehicle Law, and a prior conviction of which is a penalty enhancement for endangering children (committing an OVI offense while children are in the vehicle), for driving under an OVI suspension, for the enhanced prison term for the felony OVI specification, and for certain other provisions that could result in certain increased sanctions or negative consequences for an offender *(R.C. 2919.22 and 4510.14, not in the bill; R.C. 2941.1413 and 5502.10, not in the bill)*; 6. Making technical changes throughout the OVI and Criminal Sentencing Laws to conform to the changes described above *(R.C. 2903.13, 2929.01, 2929.13, 2929.14, 2929.142, 2929.24, 2941.1421, 2941.1423, 4510.17, 4511.192, 4511.193, 4511.195, and 5147.30).*
Fraudulent assisted reproduction	
Criminal action	
No provision.	Prohibits a health care professional, in connection with an assisted reproduction procedure, from knowingly doing any of the following: (1) using human reproductive material from the health care provider, donor, or any other person while performing the procedures if the patient receiving the procedure has not expressly consented to the use of that material, (2) failing to comply with the standards or requirements including the terms of the required written consent form, or (3) misrepresenting to the patient receiving the procedure any material information about the donor's profile *(R.C. 2907.13(B))*.

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No provision	Provides that a violation of "fraudulent assisted reproduction" is generally a third degree felony *(R.C. 2907.13(C))*.
No provision.	Provides that patient consent to the use of human reproductive material from an anonymous donor is not effective to provide consent for use of human reproductive material of the health care professional performing the procedure *(R.C. 2907.13(D))*.
No provision.	Provides that it is not a defense to an action that a patient expressly consented in writing, or by any other means, to the use of human reproductive material from an anonymous donor *(R.C. 2907.13(E))*.
No provision.	Provides that if a health care professional is convicted of or pleads guilty to fraudulent assisted reproduction, the court in which the conviction or plea of guilty occurs must notify the appropriate professional licensing board of the health care professional's conviction or guilty plea *(R.C. 2907.14)*.
No provision.	Requires that prosecution of a violation of fraudulent assisted reproduction is barred unless it is commenced within five years after the offense is committed, except that prosecution that would otherwise be barred may be commenced within five years after the date of the discovery of the offense by either an aggrieved person or the aggrieved person's legal representative *(R.C. 2901.13(A)(5))*.
Civil action	
No provision.	Allows the following persons to bring a civil action for the recovery of remedies for an assisted reproduction procedure performed without consent and performed recklessly: (1) the patient on whom the procedure was performed and the patient's spouse or surviving spouse, or (2) the child born as a result of the procedure. A person may

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	bring a separate action for each child born to the patient or spouse as a result of an assisted reproduction procedure performed without consent. *(R.C. 4731.861 and 4731.862.)*
No provision	Allows a donor of human reproductive material to bring a civil action for remedies against a health care professional who recklessly did both of the following: (1) performed an assisted reproduction procedure using the donor's human reproductive material, and (2) knew or reasonably should have known that the human reproductive material was used without the donor's consent or in a manner or to an extent other than to which the donor consented. A donor may bring a separate action for each individual who received the donor's human reproductive material without the donor's consent. *(R.C. 4731.864 and 4731.865.)*
No provision.	Provides that patient consent to the use of human reproductive material from an anonymous donor is not effective to provide consent for use of human reproductive material of the health care professional performing the procedure *(R.C. 4731.867(A))*.
No provision.	Provides that it is not a defense to an action that a patient expressly consented in writing, or by any other means, to the use of human reproductive material from an anonymous donor *(R.C. 4731.867(B))*.
No provision.	Provides that a plaintiff who prevails is entitled to reasonable attorney fees and either compensatory and punitive damages or liquidated damages of $10,000 *(R.C. 4731.869)*.

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No provision.	Requires that prosecution of a violation of fraudulent assisted reproduction performed without consent is barred unless it is brought within five years after the procedure was performed, except that an action that would otherwise be barred may be brought not later than five years after the latest of any the following occurs: (1) the discovery of evidence based on DNA to bring an action against a healthcare professional, (2) the discovery of a recording providing evidence sufficient to bring the action against the health care professional, or (3) the health care professional confesses, and the confession is known to the plaintiff *(R.C. 2305.118(B))*.
No provision.	Specifies that nothing in the bill may be construed to prohibit a person from pursuing any other remedies provided in the Revised Code for an assisted reproduction procedure performed without consent *(R.C. 4731.8610)*.
No provision.	Declares that it is against the public policy of the state for a health care professional or affiliated person to enter into or require a waiver or provision with any patient or other person that limits or waives any of the patient's or other person's civil claims described above *(R.C. 4731.8611)*.
Definitions	
No provision.	Defines "aggrieved person," "assisted reproduction," "assisted reproduction procedure performed without consent," "donor," "human reproductive material," "health care material," and "health care professional" *(R.C. 2305.118(A), 2901.13(A)(5)(c), and 4731.86)*.

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Petty theft	
No provision.	Renames the offense of "petty theft" as "misdemeanor theft" *(R.C. 2913.02(B)(2))*.
Strangulation	
No provision.	Creates the offense of strangulation that prohibits a person from knowingly doing any of the following: (1) causing serious physical harm to another by means of strangulation or suffocation, (2) creating a substantial risk of serious physical harm to another by means of strangulation or suffocation, or (3) causing or creating a substantial risk of physical harm to another by means of strangulation or suffocation *(R.C. 2903.18(B))*.
No provision.	Provides that the penalty for a violation of (1) is a second degree felony, a violation of (2) is a third degree felony, and a violation of (3) is a third degree felony to fifth degree felony depending on the circumstances of the offense *(R.C. 2903.18(C))*. For purposes of the offense, defines "strangulation or suffocation" as any act that impedes the normal breathing or circulation of the blood by applying pressure to the throat or neck, or by covering the nose and mouth *(R.C. 2903.18(A)(1))*.
No provision.	Adds strangulation to the definition of "offense of violence" *(R.C. 2901.01(A)(9))*.
Protection orders – continuance	
Modifies the grounds upon which a court may grant a continuance of a full hearing for a protection order as follows: (1) retains the current	No provision.

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law provision that the parties consent to the continuance, (2) modifies the current law provision that the continuance is needed to allow a party to obtain counsel to provide that the continuance is needed to allow the respondent to obtain counsel, and (3) eliminates the current law provision that the continuance is needed for other good cause *(R.C. 2151.34(D)(2)(a), 2903.214(D)(2)(a), and 3113.31(D)(2)(a))*.	
Adds to the provisions regarding menacing by stalking civil protection orders the appropriate definitions of the terms "family or household member" and "persons living as a spouse" that are used in the provisions *(R.C. 2903.214(A))*.	Same *(R.C. 2903.214(A))*.
Statewide electronic warrant system	
No provision.	Requires that any warrant issued for a "Tier One Offense" (32 serious offenses specified in the bill) must be: (1) entered into the Law Enforcement Automated Data System (LEADS) and the National Crime Information System (NCIC) database by the law enforcement agency requesting the warrant within 48 hours of receipt of the warrant, and (2) entered into LEADS by the law enforcement agency that receives the warrant with a full extradition radius as set by Ohio's LEADS administrator *(R.C. 2935.01(E) and 2935.10(G))*.
Period of limitation – aggravated murder and murder	
No provision.	Provides that there is no period of limitations for prosecution of a conspiracy or attempt to commit, or complicity in committing aggravated murder or murder that is committed on or after the bill's effective date and applies to a conspiracy to commit, attempt to commit, or complicity in committing aggravated murder or murder that was committed prior to that effective date if prosecution for that

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	offense was not barred under the period of limitations for the offense as it existed on the day prior to that effective date *(R.C. 2901.03(A)(2) and (L)(2))*.
Transfer of a child's case (bindovers)	
No provision.	Provides that if a complaint is filed in juvenile court alleging that a child is a delinquent child for committing an act that would be a felony if committed by an adult, if the court is required to transfer the child's "case" or is authorized to do so, and if the complaint containing the allegation that is the basis of the transfer includes one or more counts alleging that the child committed an act that would be a felony if committed by an adult, both of the following apply: (1) each count included in the complaint with respect to which the court found probable cause to believe that the child committed the act charged must be transferred and the court to which the case is transferred has jurisdiction over all of the counts so transferred, and (2) each count included in the complaint that is not transferred must remain within the jurisdiction of the juvenile court to be handled by that court in an appropriate manner *(R.C. 2152.02(Z) and 2152.022(B))*.
No provision.	Makes similar changes to other transfers of a child's case, including "reverse bindovers" *(R.C. 2152.02(Z), 2152.12, and 2152.121*).
No provision.	Defines "case" as all charges that are included in the complaint containing the allegation that is the basis of the transfer and for which the court found probable cause to believe the child committed the act charged *(R.C. 2151.23(H), 2152.022(A), 2152.10, and 2152.11(A))*.

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Sex offender therapy location	
Existing law specifies that, in the provision regarding removal of SORN Law duties of a person convicted of "unlawful sexual conduct with a minor," one criterion to be an eligible offender under the provision is that the offender must complete sex offender therapy *(R.C. 2950.151(D)(3), not in the bill)*.	Specifies that, in the provision regarding removal of SORN Law duties of a person convicted of "unlawful sexual conduct with a minor," one criterion to be an eligible offender under the provision is that the offender must complete sex offender therapy in the county in which the offender was sentenced if completion of such a program is ordered by the court, or, if such a program is ordered by the court and none is available in the county of sentencing, then in another county *(R.C. 2950.151(D)(3))*.
Speedy trial	
Provides that upon a motion made at or before the commencement of trial, but not sooner than 14 days before the day a person would be eligible for release, the charges must be dismissed with prejudice unless the person is brought to trial on those charges within 14 days after the motion is filed and served on the prosecuting attorney. If no motion is filed, the charges must be dismissed with prejudice unless the person is brought to trial on those charges within 14 days after it is determined by the court that the time for trial has expired. *(R.C. 2945.73(C)(2).)*	Adds that if it is determined by the court that the time for trial has expired, no additional charges arising from the same facts and circumstances as the original charges may be added during the 14-day period *(R.C. 2945.73(C)(2))*.
Reagan Tokes Act – relevant information to sentencing court	
Requires that if the Department of Rehabilitation and Correction (DRC) Director notifies the court that sentenced an offender to an indefinite prison term for a first or second degree felony (under the Reagan Tokes Act) that the DRC Director recommends a reduction of the offender's minimum term for exceptional conduct while incarcerated or for adjustment to incarceration, the Director must include with the	No provision.

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notice all relevant information, if available, that will enable the court to determine whether any evidence exists that would overcome the presumption in favor of the recommended reduction and authorize the court to disapprove the recommended reduction *(R.C. 2967.271(F)(1))*.	
Targeting Community Alternatives to Prison (T-CAP) – deadline	
Provides that in a "voluntary county," on or after June 30, 2022, a person sentenced to a prison term for a fourth degree felony may not serve the term in a DRC institution *(R.C. 2929.34(B)(3)(c)(ii))*.	No provision.
Provides that a voluntary county, no later than June 30, 2022, must submit a memorandum of understanding to DRC for its approval or two or more voluntary counties may join together to jointly establish a memorandum of understanding and, no later than June 30, 2022, jointly submit a memorandum of understanding to DRC for its approval *(R.C. 5149.38(A) and (B))*.	No provision.
Community-based correctional facilities – intervention in lieu of conviction	
No provision.	Authorizes a court that grants an offender intervention in lieu of conviction to place the offender under the general control and supervision of a community-based correctional facility (but only during the period commencing on the effective date of the bill and ending two years later), as an alternative to the county probation department, the Adult Parole Authority, or another appropriate local probation or court services agency that are authorized under current law *(R.C. 2951.041(D))*.

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Community alternative sentencing center – fourth degree felony OVI	
No provision.	Authorizes a court to sentence a person who is convicted of a fourth degree felony OVI (generally, someone who has three or four prior OVI offenses within the past 10 years of the current OVI offense) to serve the person's jail term or term of local incarceration, up to 120 days, at a community alternative sentencing center (CASC) *(R.C. 307.932(A)(2), (4), and (8), (C), and (E))*.
No provision.	Expands from 90 days to 120 days the maximum amount of time that a person sentenced for an eligible OVI offense may serve at a CASC, in order to encompass the minimum term of local incarceration for a fourth degree felony OVI offender with a high test for alcohol *(R.C. 307.932(B), (C), and (H)(1))*.
No provision.	Specifies that an "alternative residential facility" includes a CASC for purposes of sentencing fourth degree felony OVI offenders *(R.C. 2929.01(A)(3))*.
Earned credit	
No provision.	Regarding the earned credit mechanism, does the following *(R.C. 2967.193, with conforming changes in 2929.13(F) and (G)(1) and (2), 2929.14(B)(1)(b), (c), and (f), (2)(d), (3), (5), (6), (7)(b), (10), (11), and (K)(1), 2929.143(B), and 2967.13(A))*: 1. Regarding the portion of the mechanism that authorizes the awarding of days of credit for completing specified types of programs, expands the types of activities for which earned credit may be awarded upon completion to also include any

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	other constructive program developed by DRC with specific standards for performance by prisoners *(2967.193(A))*. 2. Regarding the portion of the mechanism that authorizes the awarding of days of credit to prisoners who actively participate in or complete an education, vocational training, substance abuse treatment, etc., program developed by DRC, modifies the provisions that specify the amount of credit that may be awarded so that: (a) a prisoner serving a prison term that includes a term imposed for a sexually oriented offense committed prior to September 30, 2011, may earn one day of credit under the mechanism for each completed month during which the prisoner productively participates in such a program or activity; and (b) if clause (a) does not apply, a prisoner may earn five days of credit for each completed month during which the prisoner productively participates in such a program or activity *(R.C. 2967.193(D))*. 3. Specifies that the changes described above in (1) and (2) apply to any person confined in a state correctional institution or in the substance use disorder treatment program on or after the bill's effective date as follows: (a) subject to (b), the changes apply to a person so confined regardless of whether the person committed the offense for which the person is confined in the institution or was placed in the program prior to, on, or after that date and regardless of whether the person was convicted of or pleaded guilty to that offense prior to, on, or after that date; and (b) the changes apply to a person so confined only with respect to the time that the person is so confined on and after the effective date of the bill, and the provisions of R.C. 2967.193 that were in effect prior to the bill's effective date and that

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	applied to the person prior to that date apply to the person with respect to the time that the person was so confined prior to that date *(R.C. 2967.193(G))*.
Judicial release – "state of emergency-qualifying offender" and "eighty per cent-qualifying offender" definitions	
Defines "state of emergency-qualifying offender" as any inmate who is serving a stated prison term during a state of emergency that is declared by the Governor as a direct response to a pandemic or public health emergency *(R.C. 2929.20(A)(2))*.	Modifies the definition of "state of emergency-qualifying offender" as any inmate to whom all of the following apply: (1) the inmate is serving a stated prison term during a state of emergency that is declared by the governor as a direct response to a pandemic or public health emergency, (2) the geographical area covered by the declared state of emergency includes the location at which the inmate is serving the stated prison term, and (3) there is a direct nexus between the emergency that is the basis of the governor's declaration of the state of emergency and the circumstances of, and the need for release of, the inmate *(R.C. 2929.20 (A)(2))*.
No provision.	Defines "eighty per cent-qualifying offender" as an offender who is serving a stated prison term of one year or more, who has commenced service of that stated prison term, who is not serving a stated prison term that includes a disqualifying prison term or a stated prison term that consists solely of one or more restricting prison terms, and to whom either of the following applies: (1) if the offender is serving a stated prison term of one year or more that includes one or more restricting prison terms and one or more eligible prison terms, the offender has fully served all restricting prison terms and has served eighty per cent of that stated prison term that remains to be served after all restricting prison terms have been fully served, or (2) if the offender is serving a stated prison term of one year or more that consists solely of one or more eligible prison terms, the offender has served eighty per cent of that stated prison term *(R.C. 2929.20(A)(3))*.

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	Defines "dangerous ordnance," "deadly weapon," "disqualifying prison term," "eligible prison term," "restricting prison term," "sexually oriented offense," and "stated prison term of one year or more" *(R.C. 2929.20(A)(9) to (14))*.
Judicial release – DRC Director recommendation	
Allows DRC Director recommendation for judicial release for an "eligible offender" and provides a mechanism for determination of whether to grant the recommendation (generally, a replacement for the existing "80% release mechanism" in R.C. 2967.19) *(R.C. 2929.20(O))*. Provides that upon receipt of notice of a DRC Director recommendation for judicial release, the court must schedule a hearing, and within 30 days after the notice is submitted, the court must notify DRC and the prosecuting attorney of the county in which the offender was indicated of the date, time, and location of the hearing *(R.C. 2929.20(O)(4))*. Provides that when the court schedules a hearing, at the hearing, the court must consider the institutional summary report and all other information, statements, and reports described in the bill *(R.C. 2929.20(O)(5))*.	Modifies DRC Director recommendation for judicial release to apply to an "eighty per cent-qualifying offender" and changes the timeframe when the Director may make the recommendation so that it is the same as the timeframe applicable to the making of a recommendation under the existing "80% release mechanism" *(R.C. 2929.20(O))*. Removes the requirement that that court must notify DRC and the prosecuting attorney within 30 days after the notice is submitted *(R.C. 2929.20(O)(4))*. Adds that the hearing must be conducted in open court not less than 30 or more than 60 days after the notice is submitted *(R.C. 2929.20(O)(4))*. Adds that when a court schedules a hearing, at the hearing, the court must consider the following: (1) the inmate's academic, vocational education programs, or alcohol or drug treatment programs; or involvement in meaningful activity, (2) the inmate's assignments and whether the inmate consistently performed each work assignment to the satisfaction of the department staff responsible for supervising the inmate's work, (3) the inmate transferred to and actively participated in core curriculum programming at a reintegration center prison, (4) the inmate's disciplinary history, and (5) the inmate's security level *(R.C. 2929.20(O)(5))*.

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No provision.	Provides that if a court receives a notice as described above and makes an initial determination that the offender satisfies the criteria for being an eighty per cent-qualifying offender, the court then must determine whether to grant the offender judicial release *(R.C. 2929.20(O)(6))*.
Judicial release – determining whether to grant motion	
Provides that the court must grant the offender judicial release unless the prosecuting attorney proves to the court by clear and convincing evidence that the release of the offender would constitute a present and substantial risk that the offender will commit an offense of violence *(R.C. 2929.20(O)(6))*.	Provides that in making the second determination, the court must grant the offender judicial release unless the prosecuting attorney proves to the court, by a preponderance of the evidence, that the legitimate interests of the government in manifesting the offender's confinement outweigh the interests of the offender in being released from that confinement *(R.C. 2929.20(O)(6))*.
No provision.	Provides that the court must enter its ruling on the notice recommending judicial release submitted by the DRC Director within ten days after the hearing is conducted *(R.C. 2929.20(O)(6))*.
No provision.	Provides that if the court does not enter a ruling on the notice within ten days after the hearing is conducted, the court must enter an order granting the judicial release and must proceed as if the court, within the ten-day period, had entered a ruling on the notice granting the judicial release *(R.C. 2929.20(O)(6)).*
No provision.	Regarding a motion for judicial release, provides that if the motion alleges that the offender who is the subject of the motion is an eligible offender and the court makes an initial determination that the offender satisfies the criteria for being an eligible offender, or that the offender who is the subject of the motion is a state of emergency-qualifying offender and the court makes an initial determination that the offender satisfies the criteria for being a state of

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	emergency-qualifying offender, the court must determine whether to grant the motion for judicial release *(R.C. 2929.20(I))*.
No provision.	Regarding a DRC Director recommendation for judicial release, provides that if the motion alleges that the offender who is the subject of the motion is an eligible offender and the court makes an initial determination that the offender satisfies the criteria for being an eligible offender, or if the notice alleges that the offender who is the subject of the notice is a state of emergency-qualifying offender and the court makes an initial determination that the offender satisfies the criteria for being a state of emergency-qualifying offender, the court must determine whether to grant the DRC Director recommendation for judicial release *(R.C. 2929.20(O)(5))*.
Judicial release – notification	
No provision.	Adds language that upon receipt of a motion for judicial release by a state of emergency-qualifying offender, the court must notify the prosecuting attorney of the county in which the offender was indicted of the motion *(R.C. 2929.20(D)(2)(b))*.
No provision.	Clarifies that when a prosecuting attorney is required to notify the victim or victim's representative of certain events regarding an application or recommendation for judicial release, the prosecuting attorney must provide the notices to the victim or the victim's representative pursuant to Marsy's Law *(R.C. 2929.20(E), (K), (N)(3) and (6), (O), and (P))*.

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Transitional control	
Repeals "judicial veto" provisions that provide that if DRC proposes to transfer a prisoner to transitional control (such a transfer still will be authorized only during the final 180 days of the prisoner's confinement) and if the prisoner is serving a term of two years or less all of the following apply: (1) at least 60 days prior to the transfer, DRC must notify the sentencing court of the proposed transfer and of the court's right to disapprove of the transfer, (2) the court may disapprove of the transfer and, if it does, it must notify DRC of the disapproval within 30 days of receipt of the notice described in (1), and (3) if the court timely disapproves of the transfer, DRC may not proceed with the transfer, but if the court does not timely disapprove of the transfer, DRC may transfer the prisoner to transitional control. *(R.C. 2967.26(A); conforming changes in R.C. 2929.20(E)(2), 2930.03(B)(2), 2930.06(B)(8), 2930.16(D)(1), 2967.12(H), 2967.28(D)(1), and 5149.101(A)(2)).*	Reinstates the "judicial veto" provisions but modifies the provisions so that they apply only if the prisoner is serving a term of less than one year *(R.C. 2967.26(A); conforming changes in R.C. 2929.20(E)(2), 2930.03(B)(2), 2930.06(B)(8), 2930.16(D)(1), 2967.12(H), 2967.28(D)(1), and 5149.101(A)(2))*.
Searches	
Searches during nonresidential sanction	
No provision.	Regarding a felony offender sentenced to a nonresidential sanction *(R.C. 2951.02(A))*: 1. Expands the authority of probation officers, during the period of the sanction, to search, with or without a warrant, the offender's person or residence, a motor vehicle, another item of personal property, or other real property in which the offender has a specified interest or right to use, occupy, or possess to allow such a search if any of the following apply:

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	a. The officers have reasonable grounds to believe that the offender is not abiding by the law or otherwise is not complying with the conditions of the misdemeanor offender's community control sanction or the conditions of the felony offender's nonresidential sanction. b. The court requires the offender's consent to searches as part of the terms and conditions of community control and the offender agreed to those terms and conditions. c. The offender otherwise provides consent for the search. 2. Specifies that if a felony offender who is sentenced to a nonresidential sanction is under the general control and supervision of the Adult Parole Authority (APA), APA field officers have the same search authority relative to the felony offender during the period of the sanction as described above in (1) regarding probation officers. 3. Specifies that the written notice that a court currently must provide to each misdemeanor offender it places under a community control sanction and each felony offender it sentences to a nonresidential sanction must include notice of all search authority described above in (2) and (3).
Searches during conditional pardon or parole, transitional control, other release from prison, or post-release control	
	Regarding an individual who is a felon and is granted a conditional pardon or parole, transitional control, or another form of authorized release from prison and a felon under post-release control *(R.C. 2967.131(C))*:

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	1. Expands the authority of APA field officers, during the period of the pardon, parole, transitional control, other release, or post-release control, to search, with or without a warrant, the individual's or felon's person or residence, a motor vehicle, another item of personal property, or other real property in which the individual or felon has a specified interest or right to use, occupy, or possess to allow such a search if any of the following apply: a. The field officers have reasonable grounds to believe that the individual or felon has left the state, is not abiding by the law, or otherwise is not complying with the terms and conditions of the individual or felon's conditional pardon, parole, transitional control, other release, or post-release control. b. Either circumstance described in (1)(b) or (c), above, regarding the authority of probation officers and APA field officers with respect to misdemeanor offenders under a community control sanction or felony offenders under a nonresidential sanction, applies. 2. Specifies that the written notice that the APA currently must provide to each individual granted a conditional pardon or parole, transitional control, or another form of authorized release from prison and each felon under post-release control must include notice of all search authority described above in (1).

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Juvenile parole hearings	
Retains current provisions regarding special parole eligibility dates for offenders convicted of a crime when under 18 that require the Parole Board to conduct a subsequent release review and hearing not later than five years after a release was denied, if the Board denies release on parole for such an offender *(R.C. 2967.132(G))*.	Requires the Parole Board to instead set a time for a subsequent release review and hearing in accordance with rules adopted by DRC in effect at the time of the denial if the Board denies release on parole for an offender convicted of a crime when under 18 *(R.C. 2967.132(G))*.
Sealing and expungement – timing for filing application	
Provides that an application for conviction record sealing or expungement may be filed at whichever of the following times is applicable regarding the offense: (1) at the expiration of three years after the offender's final discharge if convicted of one or more felonies of the third degree, so long as none of the offenses is a violation of theft in office, (2) at the expiration of one year after the offender's final discharge if convicted of one or more fourth or fifth degree felonies or one or more misdemeanors as long as none of the offenses is a violation of theft in office or a felony offense of violence, (3) at the expiration of seven years after the offender's final discharge if the record includes one or more convictions of soliciting improper compensation in violation of theft in office, (4) if the offender was subject to the requirements of the Sex Offender Registry Notification (SORN) Law or the SORN Law as it existed prior to January 1, 2008, at the expiration of five years after the requirements have ended under the law regarding the commencement date for the duty to register or that law as it existed prior to January 1, 2008, or are terminated under the law regarding the termination of the duty to comply with SORN Law, (5) at the expiration of five years after the offender's final discharge if convicted of domestic violence under state law when it is a first degree misdemeanor or of a violation of a substantially similar	Modifies the time for filing an application for sealing to provide that at the expiration of three years after the offender's final discharge if convicted of one or two felonies of the third degree, so long as none of the offenses is a violation of theft in office *(R.C. 2953.32(B)(1)(a))*. Modifies the time for filing an application for sealing by removing the provisions that provide that at the expiration of five years after the offender's final discharge if convicted of domestic violence under state law when it is a first degree misdemeanor or of a violation of a substantially similar municipal ordinance that would be a first degree misdemeanor if the offender had been convicted of the state offense *(R.C. 2953.32(B)(1)(a))*. Modifies the time for filing an application for expungement as follows: (1) if the offense is a misdemeanor, at the expiration of three years after the time specified in the bill's current provisions setting forth the time at which a person convicted of an offense may apply for sealing with respect to that misdemeanor offense, or (2) if the offense is a felony, at the expiration of ten years after the time specified in the bill's current provisions setting forth the time at which a person

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municipal ordinance that would be a first degree misdemeanor if the offender had been convicted of the state offense, or (6) the expiration of six months after the offender's final discharge if convicted of a minor misdemeanor *(R.C. 2953.32(B)(1)(a))*.	convicted of an offense may apply for sealing with respect to that felony offense *(R.C. 2953.32(B)(1)(b))*.
Provides that an application for sealing or expungement of the record of a misdemeanor bail forfeiture may be filed at any time after the date on which the bail forfeiture was entered upon the minutes of the court or its journal, whichever occurs first *(R.C. 2953.32(B)(2))*.	Maintains the time for filing an application for sealing, but modifies the time for filing an application for expungement so that such an application may be made at any time after the expiration of three years from the date on which the bail forfeiture was entered upon the minutes of the court or its journal, whichever occurs first *(R.C. 2953.32(B)(2))*.
Sealing and expungement – "low-level controlled substance offense"	
No provision.	Enacts a mechanism under which the prosecutor in a case in which a person is or was convicted of a "low-level controlled substance offense" (see below) offense may apply to the sentencing court for the sealing or expungement of the record of the case that pertains to the conviction (*R.C. 2953.39; conforming changes in R.C. 109.11, 2746.02(O), 2923.125(D)(4), 2923.128(C), 2923.1213(B)(3), 2953.25(F)(6), 2953.31(I), 2953.61(A), 4723.28(E), 4729.16(G), 4729.56(E), 4729.57(F), 4729.96(E), 4752.09(F), and 5120.035(D)(2)*).
No provision.	Enacts procedures under the mechanism similar to those of the bill's current mechanism under which a person convicted of an offense may apply to the sentencing court for the sealing or expungement of the record of the case that pertains to the conviction *(R.C. 2953.39)*.
No provision.	Provides under the mechanism for offender and victim notification and an opportunity to object to the application *(R.C. 2953.39(D), (E), and (F))*.

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No provision.	Provides under the mechanism for the sealing or expungement of the record of the case that pertains to the conviction and the effect of an order of sealing or expungement, in a manner similar to that of the bill's current mechanism under which a person convicted of an offense may obtain sealing or expungement of the record of the case that pertains to the conviction, if the court determines after a hearing that no criminal proceeding is pending against the offender, that the offender's interests in having the records sealed or expunged are not outweighed by legitimate governmental needs to maintain the records, and that the offender's rehabilitation has been attained to the court's satisfaction (*R.C. 2953.39(F)*).
No provision	Defines "low-level controlled substance offense" as a violation of any provision of R.C. Chapter 2925. that is a fourth degree misdemeanor or a minor misdemeanor or a substantially equivalent municipal ordinance that, if it were to be charged under the R.C. provision, would be a fourth degree misdemeanor or minor misdemeanor (*R.C. 2953.39(A)(2))*
Sealing and expungement – SORN Law	
Specifies that an offender who is subject to the SORN Law may apply for sealing or expungement of a conviction record of the offense that subjected the offender to that Law at the expiration of five years after the duties of that Law have ended under the portion of that Law that authorizes a Tier I offender to apply for and, in specified circumstances, obtain termination of duties under that Law *(R.C. 2953.32(B)(1)(a)(iv))*.	Expands the provisions to also specify that an offender who is subject to the SORN Law may apply for sealing or expungement of a conviction record of the offense that subjected the offender to that Law at the expiration of five years after the duties of that Law are terminated under provisions regarding unlawful sexual conduct with a minor *(R.C. 2953.32(B)(1)(a)(iv))*.

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Sealing and expungement – convictions that cannot be sealed or expunged	
Provides that, in addition to conviction records that cannot be sealed or expunged under current law, the following records cannot be sealed or expunged under the bill: (1) convictions under the Commercial Driver's License Law or convictions of a municipal ordinance violation that is substantially similar to that law, (2) convictions of a felony offense of violence that is not a sexually oriented offense, (3) convictions of a sexually oriented offense when the offender is subject to the requirements of R.C. Chapter 2950 or R.C. Chapter 2950 as it existed prior to January 1, 2008, (SORN Law), (4) convictions of an offense in circumstances in which the victim of the offense was under age 13, except for convictions for nonsupport of dependents or for contributing to the nonsupport of dependents, and (5) convictions of a first or second degree felony *(R.C. 2953.32(A)(1) to (5))*.	Expands conviction records that cannot be sealed or expunged to include convictions for the following: (1) more than two third degree felonies and (2) domestic violence and violating a protection order or a conviction for a violation of a municipal ordinance that is substantially similar to either offense *(R.C. 2953.32(A)(1) to (6))*.
Sealing and expungement – fees	
Retains provisions of existing law that require an applicant for sealing (expanded to also apply regarding an expungement application), unless indigent, to pay a $50 fee, regardless of the number of records the application requests to have sealed or expunged, and requires the court to pay $30 of the fee into the state treasury, with $15 of that amount credited to the Attorney General Reimbursement Fund and to pay $20 of the fee into the county general revenue fund if the sealed or expunged conviction or bail forfeiture was pursuant to a state statute, or into the general revenue fund of the municipal corporation involved if the sealed or expunged conviction or bail forfeiture was pursuant to a municipal ordinance *(R.C. 2953.32(D)(3))*.	Modifies the fee provisions to instead require an applicant for a sealing or expungement, unless the applicant presents a poverty affidavit showing that the applicant is indigent, to pay a fee of not more than $50, including local court fees, regardless of the number of records the application requests to have sealed or expunged. If the applicant pays a fee, the court must pay three-fifths of the fee collected into the State Treasury with half of that amount credited to the Attorney General Reimbursement Fund. If the applicant pays a fee, the court must pay two-fifths of the fee collected into the county general revenue fund if the sealed or expunged conviction was pursuant to a state statute or into the general revenue fund of a municipal corporation involved if the sealed or expunged conviction was pursuant to a municipal ordinance. *(R.C. 2953.32(D)(3).)*

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Certificate of qualification for employment – fees	
No provision.	Requires that a petition for a certificate of qualification for employment must be accompanied by an application fee of not more than $50, including local court fees. A court of common pleas may waive all or part of the filing for an applicant who presents a poverty affidavit showing that the applicant is indigent. If an applicant pays an application fee, the first $20 or two-fifths of the fee, whichever is greater, that is collected must be paid into the county general revenue fund. If an applicant pays an application fee, the amount collected in excess of the amount to be paid into the county general revenue fund must be paid into the state treasury. *(R.C. 2953.25(B)(3) and (6).)*
Limits on licensing collateral sanctions	
No provision.	Specifies that during the period commencing on the bill's effective date and ending on the date that is two years after the effective date, no "licensing authority" (see below) may refuse to issue a license to a person, limit or otherwise place restrictions on a person's license or suspend or revoke a person's license under any Revised Code provision that takes effect during that period or that requires or authorizes such a collateral sanction as a result of the person's conviction of, judicial finding of guilt of, or plea of guilty to an offense *(R.C. 9.79(L)(1))*.
No provision.	Specifies that the above provision does not restrict a licensing authority that is authorized by law to limit or otherwise place restrictions on a license from doing so to comply with the terms and conditions of a community control sanction or intervention in lieu of conviction intervention plan *(R.C. 9.79(G))*.

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No provision.	Provides that existing provisions regarding a licensing authority refusing to issue or confer a license to a person as a result of the person's conviction of, judicial finding of guilt of, or plea of guilty to an offense do not apply with respect to any provision that takes effect during the above period *(R.C. 9.79(L)(2))*.
Under current law, unchanged by the bill: (1) "licensing authorities" were required to establish a list, using specified criteria, of specific criminal offenses for which a conviction, judicial finding of guilt, or plea of guilty may disqualify an individual from obtaining an initial license, (2) a licensing authority generally may not refuse to issue an initial license to an individual based on certain specified factors related to criminal charges and convictions, (3) but a licensing authority may consider certain specified factors related to criminal charges and convictions in determining whether to refuse to issue an initial license, and (4) a "licensing authority" is a state agency that issues licenses under R.C. Title XLVII or any other R.C. provision to practice an occupation or profession, and a "license" is an authorization evidenced by a license, certificate, registration, permit, card, or other authority that is issued or conferred by a licensing authority to an individual by which the individual has or claims the privilege to engage in a profession, occupation, or occupational activity over which the licensing authority has jurisdiction *(R.C. 9.79, not in the bill)*.	Same, except for the addition of the new limitation described above *(R.C. 9.79)*.

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