



OHIO LEGISLATIVE SERVICE COMMISSION

Synopsis of Senate Committee Amendments*

Dennis M. Papp

Sub. H.B. 411

132nd General Assembly
(S. Judiciary)

Recovery for wrongful imprisonment

Modified the provisions regarding recovery for wrongful imprisonment by:

(1) Reinstating the requirement that the initial action be filed in the common pleas court of the county where the underlying criminal action was initiated;

(2) Clarifying the manner in which the provisions regarding deductions from a Court of Claims judgment awarded to a wrongfully imprisoned individual work by expressly including references to both judgments or monetary awards and by addressing multiple judgments and awards;

(3) Clarifying the provisions regarding reimbursement by a wrongfully imprisoned individual for amounts collected under a judgment or monetary award in a 42 U.S.C. 1983 action, when the monetary award or recovery and the collection occur after the Court of Claims judgment and addressing multiple judgments and awards;

(4) Adding provisions requiring reimbursement by a wrongfully imprisoned individual for amounts collected under a judgment or monetary award in a 42 U.S.C. 1983 action, when the monetary award or recovery occurs before the Court of Claims judgment but the collection occurs after the judgment.

Violation sanction centers

Added provisions that change the nature and purposes of violation sanctions centers that the Department of Rehabilitation and Correction is authorized to operate or contract for private operation, and identified those centers as a type of prison.