



# OHIO LEGISLATIVE SERVICE COMMISSION

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## **Synopsis of House Committee Amendments\***

Jeff Hobday

### **Sub. S.B. 201**

132nd General Assembly  
(H. Criminal Justice)

Amendments adopted by the House committee made the following changes to Sub. S.B. 201:

Removes third degree felonies from the indefinite prison term sentencing scheme, so that it will only apply to offenders convicted of a first or second degree felony that was committed on or after the bill's effective date.

Modifies the formula for determining the maximum sentence under the bill's indefinite sentencing mechanism when an offender is being sentenced for one or more felonies, so that one of the following would apply:

- (1) If the offender is being sentenced for one felony and the felony is a first or second degree felony that qualifies for an indefinite sentence, the maximum prison term is equal to the minimum term imposed on the offender plus 50% of that term.
- (2) If the offender is being sentenced for more than one felony, if one or more of the felonies is a first or second degree felony that qualifies for an indefinite sentence, and if the court orders that some or all of the prison terms imposed are to be served consecutively, the court must add all of the minimum terms imposed on the offender that are to be served consecutively and all of the definite terms that are to be served consecutively, and the maximum term is equal to the total of those terms plus 50% of the longest minimum term or definite term for the most serious felony being sentenced.
- (3) If the offender is being sentenced for more than one felony, if one or more of the felonies is a first or second degree felony that qualifies for an indefinite sentence, and if the court orders that all of the prison terms imposed are to run concurrently, the maximum term is equal to the

\* This synopsis does not address amendments that may have been adopted on the House Floor.

longest of the minimum terms imposed on the offender for the first or second degree felony subject to an indefinite sentence, plus 50% of the longest minimum term for the most serious qualifying felony being sentenced.

Requires the Department of Rehabilitation and Correction (DRC) to study the use of GPS monitoring as a supervision tool and the feasibility of contracting with a third-party contract administrator for GPS monitoring that would include a crime scene correlation program that could interface by link with a statewide database for GPS-monitored offenders, and requires DRC to report the results of the study back to the General Assembly by June 30, 2019.

Specifies that DRC's authorized use of the Community Programs Fund must give priority to the funding of residential service contracts that reduce the number of homeless offenders, regardless of factors that otherwise would have caused the offender to be rejected from placement regardless of criminal history, security level at release, or any other factor that otherwise would have caused the offender to be rejected from placement.

Expands the offenses of "pandering obscenity involving a minor," "pandering sexually oriented matter involving a minor," and "illegal use of a minor in a nudity-oriented material or performance" to prohibit some or all of the proscribed acts when they involve an impaired person, and provides that the higher range of potential prison terms for a third degree felony apply to any third degree felony violation of those offenses.

Removes a requirement in current law that one judge of the Wayne County Municipal Court sit within the municipal corporation of Orrville, and instead provides that the judges must sit within the municipal corporation of Wooster and may sit in other incorporated areas of Wayne County.