



Ohio Legislative Service Commission

Bill Analysis

David M. Gold

Am. H.B. 383

130th General Assembly
(As Reported by H. Judiciary)

Reps. Grossman, Scherer, Hackett, Fedor, R. Adams

BILL SUMMARY

- Authorizes a judge, magistrate, or county prosecuting attorney to issue an investigative subpoena for any criminal offense, before or after an arrest has been made.
- Authorizes the chief legal officer of a municipal corporation to issue an investigative subpoena for a misdemeanor, before or after an arrest has been made.

CONTENT AND OPERATION

Issuance of investigative subpoenas

The bill revises the persons eligible to issue an investigative subpoena and changes the circumstances under which they may be issued.

By a judge, magistrate, or county prosecuting attorney

Under current law, after a felony has been committed and before an arrest has been made, the prosecuting attorney of a county or a judge or magistrate may issue a subpoena, returnable before any court or magistrate, for any person to give information concerning the felony. The bill allows a judge, magistrate, or county prosecuting attorney to issue an investigative subpoena for any offense and eliminates the requirement that the subpoena be issued before an arrest has been made.¹

¹ R.C. 2935.23.

By the chief legal officer of a municipal corporation

The bill allows the chief legal officer of a municipal corporation to issue an investigative subpoena for a misdemeanor. It does not require that the subpoena be issued before an arrest has been made. Existing law does not authorize the chief legal officer of a municipal corporation to issue investigative subpoenas.

HISTORY

ACTION	DATE
Introduced	12-10-13
Reported, H. Judiciary	10-06-14

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