
MISCELLANEOUS

Trafficking in persons and promoting prostitution

- Extends the period within which a prosecution for trafficking in persons must be commenced from six years to 20 years after the offense is committed.
- Eliminates as an element of the offense of promoting prostitution that the transportation of a person for sexual activity be across the boundary of Ohio or any county of Ohio.
- Prohibits, as an element of the offense of promoting prostitution, establishing, maintaining, operating, managing, supervising, controlling, or having an interest in any enterprise the purpose of which is to facilitate engagement in sexual activity for hire.

Bonds of statewide elected officials

- Modifies the bonding requirements that apply to the Attorney General, Secretary of State, Treasurer of State, and Auditor of State.

Retention of investment interest

- Provides that the investment earnings on the cash balance of the following funds are to be credited to the respective fund: the Job Ready Site Development Bond Service Fund, the Mental Health Facilities Improvement Fund, the Parks and Recreation Improvement Fund, the Facilities Establishment Fund, and the Coal Research and Development Fund.

Screening tool for high-risk youth

- Requires the Office of Health Transformation to convene a team comprised of various state departments to evaluate the feasibility of implementing a trauma screening tool for high-risk youth, and permits the Department of Youth Services to receive funds for piloting the recommended tool in detention centers.

Age requirements for various board and council members

- Reduces, from 60 to 50, the minimum age requirement for certain members of the Ohio Advisory Council for the Aging, the Chemical Dependency Professionals Board, the State Board of Optometry, and the Insurance Agent Education Advisory Council.



Brain Injury Program

- Transfers the Brain Injury Program to the Ohio State University College of Medicine from the Rehabilitation Services Commission.

Manufactured Homes Commission

- Makes a corrective change to a cross reference in the Manufactured Homes Commission Law.

State Facility Utilization and Consolidation Task Force

- Creates the State Facility Utilization and Consolidation Task Force to create an inventory of state-owned real property and related assets, to evaluate whether the real property and assets are being put to productive use, and to make recommendations based on its evaluation not later than September 29, 2014.

Endorsement or certification of autism treatment providers

- Requires specified state agencies to work with the Ohio Center for Autism and Low Incidence or another qualified entity to create a certification or endorsement process for individuals providing evidence-based interventions to serve or support an individual with an autism spectrum disorder.
- Requires legislative recommendations to be submitted to the Governor, the President and Minority Leader of the Senate, and the Speaker and Minority Leader of the House of Representatives not later than October 31, 2013.

Ohio Council for Interstate Adult Offender Supervision

- Increases membership of the Ohio Council for Interstate Adult Offender Supervision from seven to 12 or more by giving the Chief Justice and Governor two additional appointments each, the Attorney General one appointment, and the Director of Rehabilitation and Correction additional appointments as necessary.

Authority to convey real estate

- Extends the authorization to convey certain real estate that is under the jurisdiction of the Department of Youth Services to November 1, 2015.

Public records correction

- Corrects a cross-reference exception regarding joint self-insurance pool administrators in the law that requires governmental entities and nonprofit organizations to prepare complete financial records of moneys expended under



service contracts with other governmental units, because the records and contracts are public records.

Trafficking in persons and promoting prostitution

(R.C. 2901.13 and 2907.22)

Statute of limitations for trafficking in persons

Continuing law provides that, generally speaking, a prosecution for a felony offense is barred unless it is commenced within six years after the offense is committed. For certain offenses including voluntary manslaughter, involuntary manslaughter, kidnapping, rape, sexual battery, unlawful sexual conduct with a minor, gross sexual imposition, compelling prostitution, and aggravated arson, a prosecution is barred unless it is commenced within 20 years after the offense is committed. The act provides that trafficking in persons is subject to this 20-year period of limitation, instead of the six-year period of limitation for this offense under prior law.²³⁷

Promoting prostitution

Under continuing law, a person is prohibited, in part, from knowingly establishing, maintaining, operating, managing, supervising, controlling, or having an interest in a brothel. Prior law prohibited a person from knowingly transporting another, or causing another to be transported across the boundary of Ohio or of any county in Ohio, in order to facilitate the other person's engaging in sexual activity for hire. Whoever violates either prohibition is guilty of "promoting prostitution," a third or fourth degree felony depending upon the circumstances of the offense.

The act modifies the offense of promoting prostitution by also prohibiting a person from knowingly establishing, maintaining, operating, managing, supervising, controlling, or having an interest in any other enterprise a purpose of which is to facilitate engagement in sexual activity for hire. It also removes from the prohibition above the requirement that the transporting of another be *across the boundary of Ohio or of any county in Ohio*.

²³⁷ R.C. 2905.32, not in the act.



Bonds of statewide elected officials

(R.C. 109.06, 111.02, 113.02, and 117.03)

The act modifies the bonding requirements that apply to the Attorney General, Secretary of State, Treasurer of State, and Auditor of State to assure their faithful discharge of the duties of their respective offices.

In this regard, the act removes the requirement that the Attorney General's and Secretary of State's bond have "two or more sureties," and the requirement that the Treasurer of State's bond have "sureties," thus requiring only one surety on each of these bonds. (The Auditor of State's bond requires only "a surety" under continuing law.) The act specifies with regard to all the officers that the one surety must be authorized to do business in Ohio.

Finally, the act removes the requirement that the Attorney General's, Treasurer of State's, and Auditor of State's bond be approved by the Governor. Similarly, the act removes the requirement that the Secretary of State's bond be approved by the Governor, Auditor of State, and Attorney General.

Retention of investment interest in funds

(R.C. 151.11, 154.20, 154.22, 166.03, and 1555.15)

The act provides that the investment earnings on the cash balance in each of the following funds are to be credited to the respective fund:

- (1) Job Ready Site Development Bond Service Fund;
- (2) Mental Health Facilities Improvement Fund;
- (3) Parks and Recreation Improvement Fund;
- (4) Facilities Establishment Fund;
- (5) Coal Research and Development Fund.

Screening tool for high-risk youth

(Section 501.10)

Under the act, the Office of Health Transformation is to convene a team comprised of the Departments of Youth Services, Medicaid, Job and Family Services, Health, and Mental Health and Addiction Services. The team is required to evaluate the feasibility of implementing a trauma screening tool for high-risk youth and issue a



report that includes (1) the recommended trauma screening tool to be used to evaluate high-risk youth, (2) training in the administration of the recommended tool, (3) screening protocols, (4) the persons to whom the recommended tool should apply, and (5) the implications for treatment. The report is to be completed by December 1, 2013, and distributed to the Governor. The act permits the Department of Youth Services to receive funds for piloting the recommended tool in detention centers.

Age requirements for various board and council members

(R.C. 173.03, 3905.483, 4725.03, and 4758.10)

The act reduces, from 60 to 50, the minimum age required under prior law for the following Board and Council members:

- The majority of members of the Ohio Advisory Council for the Aging;
- One of the consumer representatives on the Insurance Agent Education Advisory Council;
- The public member of the State Board of Optometry;
- One of the public members of the Chemical Dependency Professionals Board.

Brain Injury Program

(R.C. 3304.23 (3335.60) and 3304.231 (3335.61))

The act transfers the Brain Injury Program and the Brain Injury Advisory Committee from the Rehabilitation Services Commission to the Ohio State University College of Medicine. Under the act, the staff of the Program must complete a report on the incidence of brain injury in Ohio not later than September 29, 2015, and every two years thereafter.

Not fewer than 10 nor more than 12 of the members of the Advisory Committee are appointees. The act requires that these appointments be made by the dean of the OSU College of Medicine. The act also reduces the number of members on the Advisory Committee from not fewer than 20 nor more than 22, to not fewer than 19 nor more than 21. This membership change results from the merger of the Department of Alcohol and Drug Addiction Services and the Department of Mental Health into the Department of Mental Health and Addiction Services, whose Director or designee serves on the Advisory Committee. Additionally, the Medicaid Director or designee and the Executive Director of the Opportunities for Ohioans with Disabilities Agency or



designee replace the Director of Job and Family Services and the Administrator of the Rehabilitation Services Commission, respectively.

Manufactured Homes Commission

(R.C. 4781.28)

The act makes a corrective change to a cross reference in the Manufactured Homes Commission Law.

State Facility Utilization and Consolidation Task Force

(Section 753.30)

The act creates the State Facility Utilization and Consolidation Task Force and charges the Task Force with creating an inventory of state-owned real property and of assets related to the real property, studying the current utilization of the real property and related assets, determining which real properties and related assets are not being productively used, determining which real properties and related assets that are not being productively used could be productively used, and determining which real properties and related assets that are not being productively used could be productively used if consolidated.

The act requires the Task Force, based on its study, to provide the Governor, the President of the Senate, and the Speaker of the House of Representatives, not later than September 29, 2014, with a report expressing the Task Force's recommendations for the sale, productive use, or consolidation of state-owned real property and assets.

Upon completing delivery of its report, the Task Force ceases to exist.

The Task Force is to consist of the following members:

- Two members of the House of Representatives appointed by the Speaker;
- Two members of the Senate appointed by the President of the Senate;
- One individual appointed by the Governor;
- The Director of Administrative Services or the Director's designee; and
- The Director of Budget and Management or the Director's designee.

A vacancy on the Task Force is to be filled by the appointing authority.



The Task Force must select a chairperson and vice-chairperson from among its members.

The members of the Task Force are not entitled to compensation for serving on the Task Force. Members of the Task Force may continue to receive the compensation and benefits accruing from their regular offices or employments. A member of the Task Force is entitled to reimbursement of actual and necessary expenses incurred because of service on the Task Force.

The Task Force must first meet by October 29, 2013, at the call of the Governor. Thereafter, the Task Force must meet at the call of its chairperson as necessary to carry out its duties.

The Director of Administrative Services must provide the Task Force with meeting space and with professional, technical, and clerical staff as is necessary for the Task Force successfully and efficiently to fulfill its duties.

Endorsement or certification of autism treatment providers

(Section 747.40)

The act requires the Departments of Developmental Disabilities, Mental Health and Addiction Services, Health, and Education; the Ohio Board of Regents; and any other appropriate state agency to work with the Ohio Center for Autism and Low Incidence or another qualified entity to create a certification or endorsement process for individuals providing evidence-based interventions to serve or support an individual with an autism spectrum disorder. The process created cannot conflict with or duplicate any current state licensure processes and must include clinical therapeutic interventionists. The act requires the goal of the process created to be to build the capacity of individuals qualified to serve or support individuals with autism spectrum disorders. The act requires legislative recommendations to be submitted to the Governor, the President and Minority Leader of the Senate, and the Speaker and Minority Leader of the House of Representatives not later than October 31, 2013.

Ohio Council for Interstate Adult Offender Supervision

(R.C. 5149.22)

The act increases the membership of the Ohio Council for Interstate Adult Offender Supervision from seven to 12 or more. The act requires the Chief Justice to appoint three members instead of one and requires that two of the three be members of the judiciary. It increases the number of gubernatorial appointees from three to five and directs that, in addition to a crime victim's organization representative and a member of



the executive branch, as provided in ongoing law, the appointees include a prosecuting attorney, a member of the State Public Defender's Office and a chief probation officer. The act requires the Attorney General to appoint one member, who must be from the Bureau of Criminal Identification and Investigation, and authorizes the Director of Rehabilitation and Correction to appoint as many additional members as the Director considers necessary to fulfill the mission of the Interstate Compact for Adult Offender Supervision.

Authority to convey DYS real estate extended

(Sections 605.20 and 605.21, amending H.B. 153, 129th General Assembly, Section 753.30)

H.B. 153 of the 129th General Assembly authorized the real estate of facilities under the management and control of the Department of Youth Services that were closed before January 1, 2012, to be conveyed not later than September 29, 2013. This act extends the conveyance authority until November 1, 2015.

Public records cross-reference correction

(R.C. 149.431)

The act corrects a cross-reference in R.C. 149.431, a law that requires governmental entities or agencies and nonprofit corporations or associations that enter into service contracts with other governmental units to prepare complete financial records of money spent under the contracts, because the records and contracts are public records. The law now refers to R.C. 2744.081, which requires a joint self-insurance pool administrator to prepare a report of aggregate amounts reserved in, and aggregate disbursements made from, the pool, rather than preparing the financial records of money spent, and provides that the report is a public record, instead of the financial records. Prior law referred to R.C. 2744.08, which had no application to R.C. 149.431.

