

Executive

As Passed by the House

In Senate Finance

DYSCD9 Establishment of Pre-Service and In-Service Training Program for Juvenile Correctional Facility Youth Specialists

No provision.

No provision.

R.C. 5139.282

Requires the Director of Youth Services to adopt a pre-service and in-service training program for juvenile correctional facility youth specialists that includes, but is not limited to, training in unarmed self-defense, hostage negotiation, transportation, first aid, and CPR.

**Fiscal effect: Potential minimal ongoing training program costs.**

DYSCD1 Community Programs

Section: 407.10

(1) Permits the Department of Youth Services, for purposes of implementing juvenile sentencing reforms, to use up to 45% of the unexpended, unencumbered balance of the portion of GRF appropriation item 470401, RECLAIM Ohio, that is allocated to juvenile correctional facilities in each fiscal year to expand Targeted RECLAIM, the Behavioral Health Juvenile Justice Initiative, and other evidence-based community programs

(2) No provision.

Section: 407.10

(1) Same as the Executive.

(2) Requires \$8,813,811 of the amount appropriated to GRF appropriation item 470401, RECLAIM Ohio, in each fiscal year be used to expand Targeted RECLAIM, the Behavioral Health Juvenile Justice Initiative, and other evidence-based community programs.

Section: 407.10

(1) Same as the Executive.

(2) Same as the House.

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**DYSCD2 Lease Rental Payments**

**Section: 407.10**

Requires GRF appropriation item 470412, Lease Rental Payments, be used to meet all payments by the Department of Youth Services under the leases and agreements for facilities under R.C. Chapters 152. and 154.

**Section: 407.10**

Same as the Executive.

**Section: 407.10**

Same as the Executive.

**DYSCD4 Education Reimbursement**

**Section: 407.10**

(1) Requires GSF Fund 1750 appropriation item 470613, Education Reimbursement, be used to fund the operating expenses of providing educational services to youth supervised by the Department of Youth Services, including, but not limited to, teachers' salaries, maintenance costs, and educational equipment.

(2) Permits GSF appropriation item 470613, Education Reimbursement, to be used for capital expenses related to the education program.

**Section: 407.10**

(1) Same as the Executive.

(2) Same as the Executive.

**Section: 407.10**

(1) Same as the Executive.

(2) Same as the Executive.

**DYSCD3 Employee Food Service and Equipment**

**Section: 407.10**

Permits money received from reimbursements for state surplus property and appropriated to GSF Fund 4790 appropriation item 470609, Employee Food Service, to be used to purchase any food operational items.

**Section: 407.10**

Same as the Executive.

**Section: 407.10**

Same as the Executive.

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DYSCD5 Flexible Funding for Children and Families

Section: 407.10

Permits the juvenile court, in collaboration with that county's family and children first council, to transfer portions of its allocations from GRF appropriation items 470401, RECLAIM Ohio, and 470510, Youth Services, to a flexible funding pool as authorized by the Section 337.30.70 (Family and Children First Flexible Funding Pool) of Am. Sub. H.B. 153 of the 129th General Assembly.

Section: 407.10

Same as the Executive.

Section: 407.10

Same as the Executive.

DYSCD7 Sale of a Department of Youth Services Facility

No provision.

No provision.

Sections: 605.20, 605.21

Extends the authorization for the state to convey Department of Youth Services property to November 1, 2015 (applies only to facilities that were closed before January 1, 2012).

**Fiscal effect: The sale of such real estate would generate a onetime revenue gain for the Adult and Juvenile Correctional Facilities Bond Retirement Fund.**

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DYSCD8 Study of Assaults and Other Violence within State Juvenile Correctional Facilities

No provision.

No provision.

**Section: Section 701.40**

Requires the Department of Youth Services to convene a committee to study assaults and other violence within state juvenile correctional facilities. Requires the committee to publish a report that includes, but is not limited to, specified facts and recommendations pertaining to violence in state juvenile correctional facilities and to submit a copy of the committee's report to the Governor, Speaker and Minority Leader of the House of Representatives, and President and Minority Leader of the Senate not later than December 31, 2013.

**Fiscal effect: Potential minimal onetime cost.**

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**Other Education Provisions**

EDUCD71      Detention and Juvenile Facilities

R.C.      2151.362, 3313.64, 3317.30

Prescribes that a county or joint-county juvenile or detention facility that cares for a child is responsible for coordinating the education of that child and provides that the facility, under certain circumstances, may provide the child with in-house education.

Permits a juvenile or detention facility to contract with an ESC or the school district in which the facility is located to provide education to a child in the facility's care.

No provision.

**Fiscal effect: Detention and juvenile facilities may incur costs for coordinating the education of a child. However, the bill retains law requiring that the child's school district, as determined by the court or ODE, pay the cost of educating the child.**

R.C.      2151.362, 3313.64, 3317.30

Same as the Executive.

Same as the Executive.

Permits a student who is placed in a detention or juvenile facility who is also enrolled in an internet- or computer-based school (e-school) to continue receiving instruction from the e-school. Specifies that the payment for educating an e-school student in such a facility is limited to the amount of the payment to the e-school from the child's resident district.

**Fiscal effect: Same as the Executive.**

R.C.      2151.362, 3313.64, 3317.30

Same as the Executive.

Same as the Executive.

Same as the House.

**Fiscal effect: Same as the Executive.**

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**MCDCD36      Screening Tool for High-Risk Youth Team Evaluation**

**Section: 501.10**

Requires the Office of Health Transformation to convene a team comprised of the DYS, ODM, ODJFS, ODH, and DMHAS.

Requires the team to evaluate the feasibility of implementing a trauma screening tool for high-risk youth and to create a report with the following:

- (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.

Requires the report to be completed by December 1, 2013 and to be distributed to the Governor.

Specifies that DYS may receive funds for piloting the recommended tool in detention centers.

**Section: 501.10**

Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 501.10**

Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

Same as the Executive.

Same as the Executive.

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MHACD44      Addiction Services for Offenders

R.C.      5119.02, (renumbered 5119.14)

Authorizes ODMHAS to provide or contract to provide addiction services for offenders incarcerated in the state prison system.

**Fiscal effect: None.**

R.C.      5119.02, (renumbered 5119.14)

Same as the Executive, but makes permissive OMDHAS and the Department of Youth Services (DYS) entering into a written agreement for ODMHAS to receive from DYS certain persons for psychiatric observation, diagnosis, or treatment.

**Fiscal effect: Same as the Executive.**

R.C.      5119.02, (renumbered 5119.14)

Same as the House.

**Fiscal effect: Same as the Executive.**

MHACD57      Exchange of Hospital Records and Other Information

R.C.

Permits ODMHAS to exchange psychiatric hospitalization records and other information with local boards.

**Fiscal effect: None.**

R.C.      5122.31

Same as the Executive, but also permits ODMHAS to exchange psychiatric hospitalization records and other information with the Department of Youth Services.

**Fiscal effect: Same as the Executive.**

R.C.      5122.31

Same as the House.

**Fiscal effect: Same as the Executive.**

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PUBCD5 Representation of Children Committed to the Department of Youth Services

R.C. 120.06, 5139.04, Section 812.10

(1) Authorizes the State Public Defender to provide legal representation and services to a child committed to the Department of Youth Services relative to the fact, duration, and conditions of the child's confinement.

(2) Specifies that the authorization described in above provision (1) does not authorize the State Public Defender to represent a child committed to the Department of Youth Services in general civil matters arising solely out of state law.

(3) Requires the Department of Youth Services to give the State Public Defender access to the child and any Department of Youth Services institution or record that the State Public Defender needs to provide authorized representation and services.

R.C. 120.06, 5139.04, Section 812.20

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

R.C. 120.06, 5139.04, Section 812.20

(1) Replaces the Executive provision with a provision that does the following: (a) provides that the State Public Defender, when designated by the court or requested by a county or joint county public defender, the Director of Rehabilitation and Correction, or the Director of Youth Services, must provide legal representation to a child confined in a facility operated, or contracted for, by the Department of Youth Services, with regard to administrative issues that may extend the period of the child's confinement in a facility operated, or contracted for, by the Department of Youth Services, unless the State Public Defender finds that the child is financially able to retain the child's own counsel and (b) authorizes the State Public Defender to conduct a legal assistance referral service for children committed to the Department of Youth Services relative to conditions of confinement claims, but prohibits the State Public Defender from representing a child in court on any claims arising out of the operation of the legal assistance referral service.

(2) Same as the Executive.

(3) Same as the Executive, but adds the limitation of "reasonable" access.

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(4) Subjects provisions (1), (2), and (3) above to the referendum and sets an effective date on the 91st day after the act is filed with the Secretary of State (barring the filing of a referendum petition).

(4) Replaces the Executive provision with a provision that sets an effective date of July 1, 2013.

(4) Same as the House.

**Fiscal effect: The State Public Defender has made no decision as to the funding source and likely annual expenditure amount.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

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DRCCD7

Increased Penalty for Institutional Assault

R.C. *2903.13, 2923.125, 2929.13, Section 815.10*

Removes, from current law, the increased penalty of a fifth degree felony for assault when: (1) the assault occurs in or on the grounds of a Department of Rehabilitation and Correction (DRC) or Department of Youth Services (DYS) institution, (2) the victim of the offense is someone other than an offender under any type of supervision by a governmental agency, and (3) the offense is committed by a person under any type of supervision by a governmental agency, and replaces it with an increased penalty of a third degree felony when: (1) the assault occurs in or on the grounds of a DRC or DYS institution, (2) the victim of the offense is an employee of DRC or DYS, and (3) the offense is committed by a person incarcerated in the DRC or DYS facility

No provision.

**Fiscal effect: Potential cost increase for certain counties to prosecute penalty-enhanced cases and for the state to incarcerate certain adults and juveniles for longer periods of time.**