



*Synopsis of Senate Committee Amendments**

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Legislative Service Commission

Sub. H.B. 195

127th General Assembly
(S. Judiciary – Criminal Justice)

Modifies the provision of the House-passed version of the bill that increased the penalty for possession of a Schedule III, IV, or V controlled substance when the amount of the drug involved is less than the bulk amount--the House-passed version increased the penalty from a misdemeanor of the third degree to a felony of the fifth degree for a first offense and from a misdemeanor of the second degree to a felony of the fourth degree if the offender previously has been convicted of the drug offense, and the Senate Committee changed the provision to increase the penalty from a misdemeanor of the third degree to a misdemeanor of the first degree for a first offense and from a misdemeanor of the second degree to a felony of the fifth degree if the offender previously has been convicted of the drug offense (R.C. 2925.11(C)(2)(a)).

Added provisions that:

(1) Provide that existing laws that make a person who has been convicted of a felony incompetent to be an elector or juror, to hold an office of honor, trust, or profit, or to circulate or serve as a witness for the signing of any declaration of candidacy and petition, voter registration application, or nominating, initiative, referendum, or recall petition apply when a person has pleaded guilty to a felony and the person's plea is accepted by the court or when a verdict or finding of guilt for committing a felony is returned against a person (R.C. 2961.01).

(2) Provide that an existing law that makes a person who has been convicted of a felony theft offense or a felony otherwise involving fraud, deceit, or theft incompetent to hold a public office or position of public employment or to serve as a volunteer, if holding the office or position or serving as the volunteer involves substantial management or control over the property of a governmental or private entity, applies when a person has pleaded guilty to such a felony and the person's plea is accepted by the court or when a verdict or finding of guilt for committing such a felony is returned, and the other existing criteria are satisfied (R.C. 2961.02).

* This synopsis does not address amendments that may have been adopted on the Senate floor.

(3) Provide that an existing provision that disqualifies any public official or party official who is convicted of or pleads guilty to the offense of "theft in office" applies when a public official or party official has pleaded guilty to theft in office and the official's plea is accepted by the court or when a verdict or finding of guilt for committing theft in office is returned against a public official or party official (R.C. 2921.41(C)(1)).

(4) Modify the provisions that authorize the Bureau of Criminal Identification and Investigation to review sealed criminal conviction records in conducting a criminal records check so that the provisions do not apply regarding *license applicants* for whom the check is required under provisions enacted in Am. Sub. H.B. 104 of the 127th General Assembly (R.C. 109.572(B)(1) and 2953.32(D)(10)).

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