

Executive

As Passed By House

As Reported By Senate Finance

DRCCD14 Removing outdated law about the Ohio River Valley Facility

No provision.

R.C. 307.39, 341.12, 341.121 (repealed)

Removes outdated provisions of the Revised Code that allowed Lawrence County to place inmates in the Ohio River Valley Facility.

Fiscal effect: None.

R.C. 307.39, 341.12, 341.121 (repealed)

Same as the House.

Fiscal effect: Same as the House.

DRCCD15 Sacramental wine brought into a state facility

No provision.

R.C. 2921.36

Exempts small amounts of sacramental wine from the offense of "illegal conveyance of intoxicating liquor onto the grounds of a specified governmental facility" when the person conveying, delivering, or attempting to convey or deliver the wine is a cleric. Under continuing law, a "specified governmental facility" is a place under the control of the departments of Mental Health and Addiction Services, Developmental Disabilities, Youth Services, or Rehabilitation and Correction.

Fiscal effect: None.

R.C. 2921.36

Same as the House.

Fiscal effect: Same as the House.

DRCCD10 Certain firearms-related offense penalties

R.C. 2923.13, 2923.20, 2923.21

(1) Increases the penalty for "having weapons while under disability" as follows:

(a) From a third degree felony to a second degree felony when the offender has previously been convicted of an offense of having weapons while under disability;

(b) From a third degree felony to a second degree felony when the offender is under indictment for or has been convicted of any felony offense of violence or has been

(1) No provision.

(a) No provision.

(b) No provision.

(1) No provision.

(a) No provision.

(b) No provision.

Executive

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adjudicated a delinquent child for the commission of an offense that, if committed by an adult, would have been a felony offense of violence; and

(c) From a third degree felony to a first degree felony when the offender has previously been convicted of an offense of having weapons while under disability and is under indictment for or has been convicted of any felony offense of violence or has been adjudicated a delinquent child for the commission of an offense that, if committed by an adult, would have been a felony offense of violence.

(c) No provision.

(c) No provision.

(2) Increases the penalty for "unlawful transactions in weapons" as follows:

(2) No provision.

(2) No provision.

(a) From a fourth degree felony to a third degree felony if the violation is recklessly selling, lending, giving, or furnishing a firearm or dangerous ordnance to any person prohibited by state law from acquiring or using a firearm or dangerous ordnance, or possessing a firearm or dangerous ordnance with purpose to dispose of it; and

(a) No provision.

(a) No provision.

(b) From a third degree felony to a second degree felony if the violation is (i) knowingly soliciting, persuading, encouraging, or enticing a federally licensed firearms dealer or private seller to transfer a firearm or ammunition to any person in a manner prohibited by state or federal law, (ii) knowingly providing materially false information to a federally licensed firearms dealer or private seller with an intent to deceive, or (iii) knowingly procuring, soliciting, persuading, encouraging, or enticing a person to act in violation of either of the preceding (i) or (ii).

(b) No provision.

(b) No provision.

(3) Increases the penalty for "improperly furnishing firearms to a minor" from a fifth degree felony to a third degree

(3) No provision.

(3) No provision.

Executive

As Passed By House

As Reported By Senate Finance

felony.

Fiscal effect: Annual cost increase for the Department of Rehabilitation and Correction due to the potential for longer prison terms imposed on certain offenders or certain offenders being sentenced to a prison term that otherwise may not have been imposed under current law.

DRCCD11 Firearms specification penalties

R.C. 2929.14, 2941.141, 2941.144, 2941.145

Increases the penalty for conviction of a firearm specification charging the offender with having a firearm on or about the offender's person or under the offender's control while committing a felony and displaying, brandishing, indicating possession of, or using the firearm:

(1) From three years to three, four, or five years; or

(2) From 54 months to 54, 66, or 78 months if the offender previously was convicted of a firearms specification, subject to a limitation on duration if the offender also is convicted of a repeat violent offender or violent career criminal specification.

Fiscal effect: Annual cost increase for the Department of Rehabilitation and Correction due to the potential for longer prison terms imposed on certain offenders or certain offenders being sentenced to a prison term that otherwise may not have been imposed under current law.

No provision.

(1) No provision.

(2) No provision.

No provision.

(1) No provision.

(2) No provision.

Executive

As Passed By House

As Reported By Senate Finance

DRCCD8 Community control sanctions, judicial release, and 80% release mechanism

R.C. 2929.15, 2929.20, 2929.25, 2967.19

(1) Modifies the existing authorized duration of community control sanctions a court is permitted to impose on an offender for a felony from a maximum of five years for all felonies to:

(1) No provision.

(1) No provision.

(a) Maximum of five years for first, second, and third degree felonies and felony sex offenses;

(a) No provision.

(a) No provision.

(b) Maximum of three years for fourth degree felonies that are not felony sex offenses; and

(b) No provision.

(b) No provision.

(c) Maximum of two years for fifth degree felonies that are not felony sex offenses.

(c) No provision.

(c) No provision.

(2) Modifies the existing authorized duration of community control sanctions a court is permitted to impose on an offender for a misdemeanor from a maximum of five years to a maximum of two years.

(2) No provision.

(2) No provision.

(3) Modifies the authorized duration of community control sanctions which a court is permitted to impose on a prisoner released on judicial release or under the 80% release mechanism from a maximum of five years for all offenders to:

(3) No provision.

(3) No provision.

(a) Maximum of five years if the most serious offense from which the release is granted is a first, second, or third degree felony or a felony sex offense;

(a) No provision.

(a) No provision.

(b) Maximum of three years if the most serious offense from which the release is granted is a fourth degree felony that is not a felony sex offense; and

(b) No provision.

(b) No provision.

(c) Two years if the most serious offense from which release is granted is a fifth degree felony that is not a felony sex offense.

(c) No provision.

(c) No provision.

Executive

As Passed By House

As Reported By Senate Finance

Fiscal effect: Administrative cost savings for the state's Adult Parole Authority and county probation departments, as their respective monthly community supervision caseloads will be reduced to some degree.

DRCCD17 Prison term as sanction for community control violation

No provision.	No provision.	R.C. 2929.15 Changes the law that pertains to a court's imposition of a prison term as a sanction for a convicted felon who is sentenced to a community control sanction and violates the community control sanction, violates a law, or leaves the state without permission as follows:
(1) No provision.	(1) No provision.	(1) Replaces the references to "suspended" sentences with references to "reserved" sentences.
(2) No provision.	(2) No provision.	(2) Relocates the provision authorizing a judge to use a prison term as a sanction multiple times, to clarify that the authorization is an option along with the other authorized prison term sanctions, and that the sanctions may not exceed the length of the remaining period of community control or of the reserved sentence.
(3) No provision.	(3) No provision.	(3) Specifies that if a prison term is imposed on an offender under either provision described above for a technical violation, one of the following applies with respect to the time that the offender spends in prison under the term:
(a) No provision.	(a) No provision.	(a) Subject to the provisions described below in (b), the time must be credited against the offender's community control sanction that was being served at the time of the violation, the remaining time under that community control sanction must be reduced by the time that the offender spends in prison under the term, and the court is to determine whether the offender upon release from the prison term

Executive

As Passed By House

As Reported By Senate Finance

(b) No provision.

(b) No provision.

must continue serving the remaining time under the community control sanction, as reduced by the credit, or must have the sanction terminated (the same as current law, except that currently, no reference to community control sanction "termination" is included);

(b) If, at the time a prison term is imposed for a technical violation, the offender was serving a "residential" community control sanction imposed under the Felony Sentencing Law, the time spent serving the residential community control sanction must be credited against the offender's "reserved" prison sentence, the remaining time under that "residential" community control sanction and under the "reserved" prison sentence must be reduced by the time that the offender spends in prison under the prison term, and the court is to determine whether the offender upon release from the prison term must continue serving the remaining time under the community control sanction, as reduced by the credit, or must have the sanction terminated (currently, the application of the provision is not limited to "residential" community control sanctions, the references to "reserved" prison sentences are to "suspended" sentences, and no reference to community control sanction "termination" is included).

Fiscal effect: Uncertain. Any increase or decrease in county community control and state incarceration expenses will depend on local court interpretation and application.

DRCCD20 Sealed records and certificate of qualification for employment

No provision.

No provision.

R.C. 2953.25, 2953.31, 2953.33

Specifies that, if a criminal record is sealed, all of the following apply with regard to a certificate of qualification for employment (CQE):

Executive	As Passed By House	As Reported By Senate Finance
(1) No provision.	(1) No provision.	(1) When a criminal record is sealed, records related to a CQE are also sealed.
(2) No provision.	(2) No provision.	(2) When submitting a petition for a CQE, an individual does not have to include or disclose information contained in a sealed record.
(3) No provision.	(3) No provision.	(3) When considering a petition for a CQE, a court is prohibited from reviewing information contained in a sealed record.
(4) No provision.	(4) No provision.	(4) In any petition for a CQE, an individual may not be questioned about information contained in a sealed record.
Fiscal effect: Minimal.		
DRCCD5 Adult Parole Authority – grant of administrative release		
R.C. 2967.17	R.C. 2967.17	R.C. 2967.17
(1) Expands the existing provision that allows the Adult Parole Authority (APA) to grant an administrative release to certain offenders in specified circumstances and under specified conditions to also allow the Authority to grant an administrative release under the specified conditions to a "releasee" serving another felony sentence in a prison or taken into custody by the U.S. Department of Justice and deported from the U.S.	(1) Same as the Executive.	(1) Same as the House.
(2) Defines "releasee" as an inmate who has been released from confinement at the expiration of a prison term under a period of post-release control that includes one or more post-release control sanctions.	(2) Same as the Executive.	(2) Same as the House.
Fiscal effect: Potential administrative cost savings for the APA, as certain offenders will no longer be under the Authority's jurisdiction.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

DRCCD9 Post-release control sanctions

R.C. 2967.28

- (1) Changes the duration of mandatory post-release control (PRC):
 - (a) From five years to "up to five years, but not less than two years" for a first degree felony that is not a felony sex offense;
 - (b) From three years to "up to three years, but not less than 18 months" for a second degree felony that is not a felony sex offense; and
 - (c) From three years to "up to three years, but not less than one year" for a third degree felony that is an offense of violence and is not a felony sex offense.
- (2) Changes the duration of discretionary PRC from "up to three years" to "up to two years" for a third, fourth, or fifth degree felony that is not subject to mandatory PRC.
- (3) Removes juvenile court delinquent child adjudications as items that must be considered by the Parole Board or court in determining PRC sanctions.
- (4) Changes from mandatory to discretionary the use of active GPS monitoring for the first 14 days of a prisoner on PRC who is released before the expiration of the prisoner's term and who earned over 60 days of earned credit.
- (5) Modifies the mechanism for shortening or terminating PRC of an offender who is complying with the PRC sanctions.
- (6) Specifies that if an offender is under a period of PRC and if, during the period of PRC, the offender serves as a sanction for violating PRC conditions, the maximum prison sanction time available as a PRC sanction, the PRC terminates.

R.C. 2967.28

- (1) Same as the Executive.
- (a) Same as the Executive.
- (b) Same as the Executive.
- (c) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.
- (5) Same as the Executive.
- (6) Same as the Executive.

R.C. 2967.28

- (1) Same as the Executive.
- (a) Same as the Executive.
- (b) Same as the Executive.
- (c) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.
- (5) Same as the Executive.
- (6) Same as the Executive.

Executive	As Passed By House	As Reported By Senate Finance
<p>(7) Provides rules for determining the manner in which PRC operates when an offender is simultaneously subject to a period of parole and a period of PRC or is subject to two simultaneous periods of PRC.</p>	(7) Same as the Executive.	(7) Same as the Executive.
<p>(8) Specifies that a period of PRC shall not be imposed consecutively to any other period of PRC.</p>	(8) Same as the Executive.	(8) Same as the Executive.
<p>Fiscal effect: Administrative cost savings for the state's Adult Parole Authority, as their monthly community supervision caseload will be reduced to some degree.</p>	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.
DRCCD6 Expands the community-based substance use disorder treatment program		
<p>R.C. 5120.035</p>	<p>R.C. 5120.035</p>	<p>R.C. 5120.035</p>
<p>(1) Extends eligibility for the community-based substance use disorder treatment program to non-violent third degree felony offenders while continuing eligibility for non-violent fourth- and fifth-degree felony offenders.</p>	(1) Same as the Executive.	(1) Same as the Executive.
<p>(2) Removes a restriction that prevents those with any prior conviction of a felony offense of violence or a prior conviction of a misdemeanor offense of violence within the preceding five years from participating in the program.</p>	(2) Same as the Executive.	(2) Same as the Executive.
Fiscal effect: None.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.
DRCCD12 Internet access for prisoners		
<p>R.C. 5120.62, 5145.31</p>	<p>R.C. 5120.62, 5145.31</p>	<p>R.C. 5120.62, 5145.31, 9.08</p>
<p>Allows prisoner access to the internet for uses or purposes approved by the managing officer of a prison or their designee, rather than only while participating in an educational program that requires use of the internet for training or research, as under current law.</p>	Same as the Executive.	Same as the Executive, but expands the permission to include inmate internet access at private prisons.
Fiscal effect: None.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

DRCCD7 Subsidies for community-based corrections programs

R.C. 5149.31

(1) Modifies the requirements for the program of subsidies provided by the Department of Rehabilitation and Correction to counties for community-based corrections programs by making the subsidies contingent upon the outcomes of any performance-based standards established by the Department, in addition to being contingent upon the number of offenders participating in such programs who satisfy the participation suitability standards established by the Department as under current law.

(2) Requires the Department's standards for community-based corrections programs to be designed to support evidence-based policies and practices, as defined by the Department.

Fiscal effect: Certain counties may be awarded larger or lesser amounts than otherwise may have been the case under current law.

R.C. 5149.31

(1) Same as the Executive.

(2) Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 5149.31

(1) Same as the Executive.

(2) Same as the Executive.

Fiscal effect: Same as the Executive.

DRCCD16 Targeting community alternatives to prison (T-CAP)

No provision.

R.C. 5149.38, 2929.34, 5149.311

Requires, instead of allows, each county: (1) to participate in the targeting community alternatives to prison (T-CAP) program, and (2) to enter into a memorandum of understanding relating to the T-CAP program, unless the county has already entered into a memorandum of understanding relating to the T-CAP program.

Fiscal effect: GRF appropriation item 501407, Community Nonresidential Programs, is increased by \$7,200,000 in each fiscal year to fund the changes to the T-CAP program.

R.C. 5149.38, 2929.34

Replaces the House provision with a provision that expands the voluntary T-CAP program to include fourth degree felony offenders, rather than only fifth degree felony offenders as under continuing law.

Fiscal effect: The Department may realize some institutional operating cost savings, as fewer offenders may be sentenced to a prison term than would otherwise have been the case under current law and practice.

Executive

As Passed By House

As Reported By Senate Finance

DRCCD13 Reentry employment grants

(1) No provision.

Section: 383.10

(1) Earmarks \$275,000 in each fiscal year from GRF appropriation item 503321, Parole and Community Operations, to create and implement a program to award grants to at least one nonprofit organization that operates reentry employment programs that meet certain criteria.

Section: 383.10

(1) Same as the House.

(2) No provision.

(2) Requires the Department to establish guidelines, procedures, grant application forms, and outcome-based criteria upon which performance is evaluated.

(2) Same as the House.

DRCCD19 Ashland University Correctional Education Expansion Program

No provision.

No provision.

Section: 383.10

Earmarks \$654,250 from GRF appropriation item 506321, Institution Education Services, in fiscal year 2022 for the Ashland University Correctional Education Expansion Program.

DRCCD4 Expedited Pardon Initiative

Section: 383.10

Earmarks up to \$500,000 in each fiscal year of GRF appropriation item 501321, Institutional Operations, to be used by the Department of Rehabilitation and Correction to distribute grants for advancing the expedited pardon initiative and encouraging eligible individuals to participate.

Section: 383.10

Same as the Executive, but permits, rather than requires, the Department of Rehabilitation and Correction to use up to \$500,000 of GRF appropriation item 501321, Institutional Operations, in each fiscal year for the expedited pardon initiative, and changes the purpose of the earmarked amounts to creating up to five regional collaborative partnership pilot projects to connect rehabilitated citizens with community partners to advance the expedited pardon initiative and help eligible individuals navigate the process and access clemency.

Section: 383.10

Same as the House, but earmarks up to \$100,000 in each fiscal year for the expedited pardon initiative.

Executive

As Passed By House

As Reported By Senate Finance

DRCCD1 OSU medical charges

Section: 383.10

1) Requires The Ohio State University Medical Center, including the Arthur G. James Cancer Hospital and Richard J. Solove Research Institute and the Richard M. Ross Heart Hospital, at the request of the Department of Rehabilitation and Correction (DRC), to provide necessary care to persons who are confined in state adult correctional facilities.

(2) Requires the provision of necessary inpatient care billed to DRC to be reimbursed at the rate not to exceed the authorized reimbursement rate for the same service established by the Department of Medicaid under the Medicaid Program.

Section: 383.10

(1) Same as the Executive.

(2) Same as the Executive.

Section: 383.10

(1) Same as the Executive.

(2) Same as the Executive.

DRCCD2 Adult Correctional Facilities Lease Rental Bond Payments

Section: 383.10

Requires GRF appropriation item 501406, Adult Correctional Facilities Lease Rental Bond Payments, to be used to meet all payments during the period from July 1, 2021, through June 30, 2023, by the Department of Rehabilitation and Correction pursuant to leases and agreements for buildings under R.C. Chapters 152. and 154. Specifies that the appropriations are the source of funds pledged for bond service charges on related obligations issued under R.C. Chapters 152. and 154.

Section: 383.10

Same as the Executive.

Section: 383.10

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

DRCCD3 Probation Improvement and Incentive Grants

Section: 383.10

Requires DPF Fund 5TZ0 appropriation item 501610, Probation Improvement and Incentive Grants, to be allocated by the Department of Rehabilitation and Correction to municipalities as grants with an emphasis on: (1) providing services to those addicted to opiates and other illegal substances, and (2) supplementing the programs and services funded by grants distributed from GRF appropriation item 501407, Community Nonresidential Programs.

Section: 383.10

Same as the Executive.

Section: 383.10

Same as the Executive.

DRCCD21 Conveyance of certain state-owned land in Madison and Warren counties

(1) No provision.

(1) No provision.

Section: 753.10, 753.20

(1) Authorizes the conveyance of certain state-owned land in Madison and Warren counties under the jurisdiction of the Department of Rehabilitation and Correction (DRC) through a negotiated purchase agreement or by sealed bid auction or public auction.

(2) No provision.

(2) No provision.

(2) Requires the proceeds from the conveyances to be deposited into the Adult and Juvenile Correctional Facilities Bond Retirement Fund (Fund 7097), which is used for the purpose of debt retirement.

(3) No provision.

(3) No provision.

(3) Specifies requirements for the Department of Administrative Services (DAS) and DRC regarding how the land is to be advertised and sold, including that DRC pay all advertising costs incidental to the sale of the real estate, and the purchaser pay all other costs associated with the purchase, closing, and conveyance of the real estate.