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H.B. 728
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Odioso and Plummer

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SUMMARY

- Eliminates a juvenile court's authority to conduct hearings in an informal manner for delinquency cases involving acts that would be a felony or offense of violence if committed by an adult.
- Prohibits a juvenile court from dismissing a case or specification without disposition after a child is adjudicated a delinquent child for an act that would be a felony or an offense of violence if committed by an adult.

DETAILED ANALYSIS

Informal hearings and dismissals in delinquency cases

Current law allows a juvenile court to conduct hearings in an informal manner and to adjourn its hearings from time to time.[1] The bill specifies that a juvenile court's authority to conduct hearings in an informal manner does not apply to an offense that would be a felony, including any specifications, or an offense of violence if committed by an adult.[2]

Under continuing law, a child who is adjudicated a delinquent child for committing an act that would be a felony if committed by an adult is eligible for a particular type of disposition if the child's case was not transferred. The bill prohibits a juvenile court from dismissing a case or any specifications without disposition when a child is adjudicated a delinquent child for committing an act that would be a felony or an offense of violence if committed by an adult, even if the court determines that dismissal would be in the best interest of the child.[3]

[1] R.C. 2151.35(A)(1).

[2] R.C. 2151.35(A)(4).

[3] R.C. 2152.11(A).

HISTORY

Action	Date
Introduced	03-03-26

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