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**124th General Assembly**

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**Sub. H. B. No. 548**

**REPRESENTATIVES Manning, Willamowski, Latta, Sulzer, Perry, Damschroder, Sullivan, Ogg, Lendrum, Carey, Hartnett, Distel, Sferra, Hughes, Gilb, Clancy, Schneider, Carmichael, Carano, Schmidt, Cirelli, Driehaus, Flannery, Trakas, Calvert, Metzger, DeWine, Otterman, Redfern, Allen, Setzer, Schaffer, Faber, Coates, Latell, Krupinski, Widowfield, Schuring, Niehaus, Barrett, Woodard, McGregor, Reidelbach, Flowers, Wolpert, Salerno, Key, Fedor, Patton, Buehrer, Hoops, Young, Boccieri, Jolivette, G. Smith, Kilbane, Roman, Womer Benjamin, Rhine, D. Miller, Brown, Oakar, Mason, Sykes, Beatty, S. Smith, Strahorn, Britton, DeBose, Jerse, Wilson, Collier**

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**A B I L L**

To amend sections 2903.213, 2903.214, 2919.25, 1  
2919.26, 2919.27, 2919.272, and 3113.31 of the 2  
Revised Code to clarify that no fees, cost, 3  
deposit, or money may be charged relative to 4  
certain protection orders and consent agreements or 5  
relative to the filing or prosecution of domestic 6  
violence charges and to expand the out-of-state 7  
protection orders that are within the scope of the 8  
laws regarding out-of-state protection orders. 9

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 2903.213, 2903.214, 2919.25, 10  
2919.26, 2919.27, 2919.272, and 3113.31 of the Revised Code be 11  
amended to read as follows: 12

**Sec. 2903.213.** (A) Except when the complaint involves a 13  
person who is a family or household member as defined in section 14  
2919.25 of the Revised Code, upon the filing of a complaint that 15  
alleges a violation of section 2903.11, 2903.12, 2903.13, 2903.21, 16  
2903.211, 2903.22, or 2911.211 of the Revised Code or a violation 17  
of a municipal ordinance substantially similar to section 2903.13, 18  
2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, the 19  
complainant, the alleged victim, or a family or household member 20  
of an alleged victim may file a motion that requests the issuance 21  
of a protection order as a pretrial condition of release of the 22  
alleged offender, in addition to any bail set under Criminal Rule 23  
46. The motion shall be filed with the clerk of the court that has 24  
jurisdiction of the case at any time after the filing of the 25  
complaint. If the complaint involves a person who is a family or 26  
household member, the complainant, the alleged victim, or the 27  
family or household member may file a motion for a temporary 28  
protection order pursuant to section 2919.26 of the Revised Code. 29

(B) A motion for a protection order under this section shall 30  
be prepared on a form that is provided by the clerk of the court, 31  
and the form shall be substantially as follows: 32

"Motion for Protection Order 33  
..... 34  
Name and address of court 35

State of Ohio 36  
v. No. .... 37

..... 38

Name of Defendant 39

(Name of person), moves the court to issue a protection order 40  
containing terms designed to ensure the safety and protection of 41  
the complainant or the alleged victim in the above-captioned case, 42  
in relation to the named defendant, pursuant to its authority to 43  
issue a protection order under section 2903.213 of the Revised 44  
Code. 45

A complaint, a copy of which has been attached to this 46  
motion, has been filed in this court charging the named defendant 47  
with a violation of section 2903.11, 2903.12, 2903.13, 2903.21, 48  
2903.211, 2903.22, or 2911.211 of the Revised Code or a violation 49  
of a municipal ordinance substantially similar to section 2903.13, 50  
2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code. 51

I understand that I must appear before the court, at a time 52  
set by the court not later than the next day that the court is in 53  
session after the filing of this motion, for a hearing on the 54  
motion, and that any protection order granted pursuant to this 55  
motion is a pretrial condition of release and is effective only 56  
until the disposition of the criminal proceeding arising out of 57  
the attached complaint or until the issuance under section 58  
2903.214 of the Revised Code of a protection order arising out of 59  
the same activities as those that were the basis of the attached 60  
complaint. 61

..... 62

Signature of person 63

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Address of person" 65

(C)(1) As soon as possible after the filing of a motion that 66  
requests the issuance of a protection order under this section, 67

but not later than the next day that the court is in session after  
the filing of the motion, the court shall conduct a hearing to  
determine whether to issue the order. The person who requested the  
order shall appear before the court and provide the court with the  
information that it requests concerning the basis of the motion.  
If the court finds that the safety and protection of the  
complainant or the alleged victim may be impaired by the continued  
presence of the alleged offender, the court may issue a protection  
order under this section, as a pretrial condition of release, that  
contains terms designed to ensure the safety and protection of the  
complainant or the alleged victim, including a requirement that  
the alleged offender refrain from entering the residence, school,  
business, or place of employment of the complainant or the alleged  
victim.

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(2)(a) If the court issues a protection order under this  
section that includes a requirement that the alleged offender  
refrain from entering the residence, school, business, or place of  
employment of the complainant or the alleged victim, the order  
shall clearly state that the order cannot be waived or nullified  
by an invitation to the alleged offender from the complainant, the  
alleged victim, or a family or household member to enter the  
residence, school, business, or place of employment or by the  
alleged offender's entry into one of those places otherwise upon  
the consent of the complainant, the alleged victim, or a family or  
household member.

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(b) Division (C)(2)(a) of this section does not limit any  
discretion of a court to determine that an alleged offender  
charged with a violation of section 2919.27 of the Revised Code,  
with a violation of a municipal ordinance substantially equivalent  
to that section, or with contempt of court, which charge is based  
on an alleged violation of a protection order issued under this  
section, did not commit the violation or was not in contempt of

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court.

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(D)(1) Except when the complaint involves a person who is a family or household member as defined in section 2919.25 of the Revised Code, upon the filing of a complaint that alleges a violation specified in division (A) of this section, the court, upon its own motion, may issue a protection order under this section as a pretrial condition of release of the alleged offender if it finds that the safety and protection of the complainant or the alleged victim may be impaired by the continued presence of the alleged offender.

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(2) If the court issues a protection order under this section as an ex parte order, it shall conduct, as soon as possible after the issuance of the order but not later than the next day that the court is in session after its issuance, a hearing to determine whether the order should remain in effect, be modified, or be revoked. The hearing shall be conducted under the standards set forth in division (C) of this section.

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(3) If a municipal court or a county court issues a protection order under this section and if, subsequent to the issuance of the order, the alleged offender who is the subject of the order is bound over to the court of common pleas for prosecution of a felony arising out of the same activities as those that were the basis of the complaint upon which the order is based, notwithstanding the fact that the order was issued by a municipal court or county court, the order shall remain in effect, as though it were an order of the court of common pleas, while the charges against the alleged offender are pending in the court of common pleas, for the period of time described in division (E)(2) of this section, and the court of common pleas has exclusive jurisdiction to modify the order issued by the municipal court or county court. This division applies when the alleged offender is bound over to the court of common pleas as a result of the person

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waiving a preliminary hearing on the felony charge, as a result of 132  
the municipal court or county court having determined at a 133  
preliminary hearing that there is probable cause to believe that 134  
the felony has been committed and that the alleged offender 135  
committed it, as a result of the alleged offender having been 136  
indicted for the felony, or in any other manner. 137

(E) A protection order that is issued as a pretrial condition 138  
of release under this section: 139

(1) Is in addition to, but shall not be construed as a part 140  
of, any bail set under Criminal Rule 46; 141

(2) Is effective only until the disposition, by the court 142  
that issued the order or, in the circumstances described in 143  
division (D)(3) of this section, by the court of common pleas to 144  
which the alleged offender is bound over for prosecution, of the 145  
criminal proceeding arising out of the complaint upon which the 146  
order is based or until the issuance under section 2903.214 of the 147  
Revised Code of a protection order arising out of the same 148  
activities as those that were the basis of the complaint filed 149  
under this section; 150

(3) Shall not be construed as a finding that the alleged 151  
offender committed the alleged offense and shall not be introduced 152  
as evidence of the commission of the offense at the trial of the 153  
alleged offender on the complaint upon which the order is based. 154

(F) A person who meets the criteria for bail under Criminal 155  
Rule 46 and who, if required to do so pursuant to that rule, 156  
executes or posts bond or deposits cash or securities as bail, 157  
shall not be held in custody pending a hearing before the court on 158  
a motion requesting a protection order under this section. 159

(G)(1) A copy of a protection order that is issued under this 160  
section shall be issued by the court to the complainant, to the 161  
alleged victim, to the person who requested the order, to the 162

defendant, and to all law enforcement agencies that have  
jurisdiction to enforce the order. The court shall direct that a  
copy of the order be delivered to the defendant on the same day  
that the order is entered. If a municipal court or a county court  
issues a protection order under this section and if, subsequent to  
the issuance of the order, the defendant who is the subject of the  
order is bound over to the court of common pleas for prosecution  
as described in division (D)(3) of this section, the municipal  
court or county court shall direct that a copy of the order be  
delivered to the court of common pleas to which the defendant is  
bound over.

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(2) All law enforcement agencies shall establish and maintain  
an index for the protection orders delivered to the agencies  
pursuant to division (G)(1) of this section. With respect to each  
order delivered, each agency shall note on the index the date and  
time of the agency's receipt of the order.

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(3) Regardless of whether the petitioner has registered the  
protection order in the county in which the officer's agency has  
jurisdiction, any officer of a law enforcement agency shall  
enforce a protection order issued pursuant to this section in  
accordance with the provisions of the order.

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(H) Upon a violation of a protection order issued pursuant to  
this section, the court may issue another protection order under  
this section, as a pretrial condition of release, that modifies  
the terms of the order that was violated.

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(I) Notwithstanding any provision of law to the contrary and  
regardless of whether a protection order is issued or a consent  
agreement is approved by a court of another county or by a court  
of another state, no court or unit of state or local government  
shall charge a any fee for, cost, deposit, or money in connection  
with the filing of a motion pursuant to this section, in  
connection with the filing, issuance, registration, or service of

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a protection order or consent agreement, or for obtaining 195  
certified copies of a protection order or consent agreement. 196

**Sec. 2903.214.** (A) As used in this section: 197

(1) "Court" means the court of common pleas of the county in 198  
which the person to be protected by the protection order resides. 199

(2) "Victim advocate" means a person who provides support and 200  
assistance for a person who files a petition under this section. 201  
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(3) "Family or household member" has the same meaning as in 203  
section 3113.31 of the Revised Code. 204

(4) "Protection order issued by a court of another state" has 205  
the same meaning as in section 2919.27 of the Revised Code. 206

(B) The court has jurisdiction over all proceedings under 207  
this section. 208

(C) A person may seek relief under this section for the 209  
person, or any parent or adult household member may seek relief 210  
under this section on behalf of any other family or household 211  
member, by filing a petition with the court. The petition shall 212  
contain or state both of the following: 213

(1) An allegation that the respondent engaged in a violation 214  
of section 2903.211 of the Revised Code against the person to be 215  
protected by the protection order, including a description of the 216  
nature and extent of the violation; 217

(2) A request for relief under this section. 218

(D)(1) If a person who files a petition pursuant to this 219  
section requests an ex parte order, the court shall hold an ex 220  
parte hearing as soon as possible after the petition is filed, but 221  
not later than the next day that the court is in session after the 222  
petition is filed. The court, for good cause shown at the ex parte 223



hearing, may enter any temporary orders, with or without bond, 224  
that the court finds necessary for the safety and protection of 225  
the person to be protected by the order. Immediate and present 226  
danger to the person to be protected by the protection order 227  
constitutes good cause for purposes of this section. Immediate and 228  
present danger includes, but is not limited to, situations in 229  
which the respondent has threatened the person to be protected by 230  
the protection order with bodily harm or in which the respondent 231  
previously has been convicted of or pleaded guilty to a violation 232  
of section 2903.211 of the Revised Code against the person to be 233  
protected by the protection order. 234

(2)(a) If the court, after an ex parte hearing, issues a 235  
protection order described in division (E) of this section, the 236  
court shall schedule a full hearing for a date that is within ten 237  
court days after the ex parte hearing. The court shall give the 238  
respondent notice of, and an opportunity to be heard at, the full 239  
hearing. The court shall hold the full hearing on the date 240  
scheduled under this division unless the court grants a 241  
continuance of the hearing in accordance with this division. Under 242  
any of the following circumstances or for any of the following 243  
reasons, the court may grant a continuance of the full hearing to 244  
a reasonable time determined by the court: 245

(i) Prior to the date scheduled for the full hearing under 246  
this division, the respondent has not been served with the 247  
petition filed pursuant to this section and notice of the full 248  
hearing. 249

(ii) The parties consent to the continuance. 250

(iii) The continuance is needed to allow a party to obtain 251  
counsel. 252

(iv) The continuance is needed for other good cause. 253

(b) An ex parte order issued under this section does not 254

expire because of a failure to serve notice of the full hearing 255  
upon the respondent before the date set for the full hearing under 256  
division (D)(2)(a) of this section or because the court grants a 257  
continuance under that division. 258

(3) If a person who files a petition pursuant to this section 259  
does not request an ex parte order, or if a person requests an ex 260  
parte order but the court does not issue an ex parte order after 261  
an ex parte hearing, the court shall proceed as in a normal civil 262  
action and grant a full hearing on the matter. 263

(E)(1) After an ex parte or full hearing, the court may issue 264  
any protection order, with or without bond, that contains terms 265  
designed to ensure the safety and protection of the person to be 266  
protected by the protection order, including, but not limited to, 267  
a requirement that the respondent refrain from entering the 268  
residence, school, business, or place of employment of the 269  
petitioner or family or household member. If the court includes a 270  
requirement that the respondent refrain from entering the 271  
residence, school, business, or place of employment of the 272  
petitioner or family or household member in the order, it also 273  
shall include in the order provisions of the type described in 274  
division (E)(5) of this section. 275

(2)(a) Any protection order issued pursuant to this section 276  
shall be valid until a date certain but not later than five years 277  
from the date of its issuance. 278

(b) Any protection order issued pursuant to this section may 279  
be renewed in the same manner as the original order was issued. 280

(3) A court may not issue a protection order that requires a 281  
petitioner to do or to refrain from doing an act that the court 282  
may require a respondent to do or to refrain from doing under 283  
division (E)(1) of this section unless all of the following apply: 284

(a) The respondent files a separate petition for a protection 285

order in accordance with this section. 286

(b) The petitioner is served with notice of the respondent's 287  
petition at least forty-eight hours before the court holds a 288  
hearing with respect to the respondent's petition, or the 289  
petitioner waives the right to receive this notice. 290

(c) If the petitioner has requested an ex parte order 291  
pursuant to division (D) of this section, the court does not delay 292  
any hearing required by that division beyond the time specified in 293  
that division in order to consolidate the hearing with a hearing 294  
on the petition filed by the respondent. 295

(d) After a full hearing at which the respondent presents 296  
evidence in support of the request for a protection order and the 297  
petitioner is afforded an opportunity to defend against that 298  
evidence, the court determines that the petitioner has committed a 299  
violation of section 2903.211 of the Revised Code against the 300  
person to be protected by the protection order issued pursuant to 301  
this section or has violated a protection order issued pursuant to 302  
section 2903.213 of the Revised Code relative to the person to be 303  
protected by the protection order issued pursuant to this section. 304

(4) No protection order issued pursuant to this section shall 305  
in any manner affect title to any real property. 306

(5)(a) If the court issues a protection order under this 307  
section that includes a requirement that the alleged offender 308  
refrain from entering the residence, school, business, or place of 309  
employment of the petitioner or a family or household member, the 310  
order shall clearly state that the order cannot be waived or 311  
nullified by an invitation to the alleged offender from the 312  
complainant to enter the residence, school, business, or place of 313  
employment or by the alleged offender's entry into one of those 314  
places otherwise upon the consent of the petitioner or family or 315  
household member. 316

(b) Division (E)(5)(a) of this section does not limit any 317  
discretion of a court to determine that an alleged offender 318  
charged with a violation of section 2919.27 of the Revised Code, 319  
with a violation of a municipal ordinance substantially equivalent 320  
to that section, or with contempt of court, which charge is based 321  
on an alleged violation of a protection order issued under this 322  
section, did not commit the violation or was not in contempt of 323  
court. 324

(F)(1) The court shall cause the delivery of a copy of any 325  
protection order that is issued under this section to the 326  
petitioner, to the respondent, and to all law enforcement agencies 327  
that have jurisdiction to enforce the order. The court shall 328  
direct that a copy of the order be delivered to the respondent on 329  
the same day that the order is entered. 330

(2) All law enforcement agencies shall establish and maintain 331  
an index for the protection orders delivered to the agencies 332  
pursuant to division (F)(1) of this section. With respect to each 333  
order delivered, each agency shall note on the index the date and 334  
time that it received the order. 335

(3) Regardless of whether the petitioner has registered the 336  
protection order in the county in which the officer's agency has 337  
jurisdiction pursuant to division (M) of this section, any officer 338  
of a law enforcement agency shall enforce a protection order 339  
issued pursuant to this section by any court in this state in 340  
accordance with the provisions of the order, including removing 341  
the respondent from the premises, if appropriate. 342

(G) Any proceeding under this section shall be conducted in 343  
accordance with the Rules of Civil Procedure, except that a 344  
protection order may be obtained under this section with or 345  
without bond. An order issued under this section, other than an ex 346  
parte order, that grants a protection order, or that refuses to 347  
grant a protection order, is a final, appealable order. The 348

remedies and procedures provided in this section are in addition 349  
to, and not in lieu of, any other available civil or criminal 350  
remedies. 351

(H) The filing of proceedings under this section does not 352  
excuse a person from filing any report or giving any notice 353  
required by section 2151.421 of the Revised Code or by any other 354  
law. 355

(I) Any law enforcement agency that investigates an alleged 356  
violation of section 2903.211 of the Revised Code shall provide 357  
information to the victim and the family or household members of 358  
the victim regarding the relief available under this section and 359  
section 2903.213 of the Revised Code. 360

(J) Notwithstanding any provision of law to the contrary and 361  
regardless of whether a protection order is issued or a consent 362  
agreement is approved by a court of another county or by a court 363  
of another state, no court or unit of state or local government 364  
shall charge a any fee for, cost, deposit, or money in connection 365  
with the filing of a petition pursuant to this section, in 366  
connection with the filing, issuance, registration, or service of 367  
a protection order or consent agreement, or for obtaining a 368  
certified copy of a protection order or consent agreement. 369

(K)(1) A person who violates a protection order issued under 370  
this section is subject to the following sanctions: 371

(a) Criminal prosecution for a violation of section 2919.27 372  
of the Revised Code, if the violation of the protection order 373  
constitutes a violation of that section; 374

(b) Punishment for contempt of court. 375

(2) The punishment of a person for contempt of court for 376  
violation of a protection order issued under this section does not 377  
bar criminal prosecution of the person for a violation of section 378  
2919.27 of the Revised Code. However, a person punished for 379

contempt of court is entitled to credit for the punishment imposed  
upon conviction of a violation of that section, and a person  
convicted of a violation of that section shall not subsequently be  
punished for contempt of court arising out of the same activity.

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(L) In all stages of a proceeding under this section, a  
petitioner may be accompanied by a victim advocate.

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(M)(1) A petitioner who obtains a protection order under this  
section or a protection order under section 2903.213 of the  
Revised Code may provide notice of the issuance or approval of the  
order to the judicial and law enforcement officials in any county  
other than the county in which the order is issued by registering  
that order in the other county pursuant to division (M)(2) of this  
section and filing a copy of the registered order with a law  
enforcement agency in the other county in accordance with that  
division. A person who obtains a protection order issued by a  
court of another state may provide notice of the issuance of the  
order to the judicial and law enforcement officials in any county  
of this state by registering the order in that county pursuant to  
section 2919.272 of the Revised Code and filing a copy of the  
registered order with a law enforcement agency in that county.

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(2) A petitioner may register a protection order issued  
pursuant to this section or section 2903.213 of the Revised Code  
in a county other than the county in which the court that issued  
the order is located in the following manner:

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(a) The petitioner shall obtain a certified copy of the order  
from the clerk of the court that issued the order and present that  
certified copy to the clerk of the court of common pleas or the  
clerk of a municipal court or county court in the county in which  
the order is to be registered.

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(b) Upon accepting the certified copy of the order for  
registration, the clerk of the court of common pleas, municipal

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court, or county court shall place an endorsement of registration  
on the order and give the petitioner a copy of the order that  
bears that proof of registration.

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(3) The clerk of each court of common pleas, municipal court,  
or county court shall maintain a registry of certified copies of  
protection orders that have been issued by courts in other  
counties pursuant to this section or section 2903.213 of the  
Revised Code and that have been registered with the clerk.

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~~(4) If a petitioner who obtains a protection order under this  
section or section 2903.213 of the Revised Code wishes to register  
the order in any county other than the county in which the order  
was issued, pursuant to divisions (M)(1) to (3) of this section,  
and if the petitioner is indigent, both of the following apply:~~

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~~(a) If the petitioner submits to the clerk of the court that  
issued the order satisfactory proof that the petitioner is  
indigent, the clerk may waive any fee that otherwise would be  
required for providing the petitioner with a certified copy of the  
order to be used for purposes of divisions (M)(1) to (3) of this  
section.~~

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~~(b) If the petitioner submits to the clerk of the court of  
common pleas or the clerk of a municipal court or county court in  
the county in which the order is to be registered satisfactory  
proof that the petitioner is indigent, the clerk may waive any fee  
that otherwise would be required for accepting for registration a  
certified copy of the order, for placing an endorsement of  
registration on the order, or for giving the petitioner a copy of  
the order that bears the proof of registration.~~

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**Sec. 2919.25.** (A) No person shall knowingly cause or attempt  
to cause physical harm to a family or household member.

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(B) No person shall recklessly cause serious physical harm to a family or household member. 441  
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(C) No person, by threat of force, shall knowingly cause a family or household member to believe that the offender will cause imminent physical harm to the family or household member. 443  
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(D) Whoever violates this section is guilty of domestic violence. Except as otherwise provided in this division, a violation of division (C) of this section is a misdemeanor of the fourth degree, and a violation of division (A) or (B) of this section is a misdemeanor of the first degree. If the offender previously has pleaded guilty to or been convicted of domestic violence, of a violation of a municipal ordinance that is substantially similar to domestic violence, of a violation of section 2903.11, 2903.12, 2903.13, 2903.14, 2903.21, 2903.211, 2903.22, 2911.211, or 2919.22 of the Revised Code involving a person who was a family or household member at the time of the violation, or of a violation of a municipal ordinance, a law of the United States or of any other state, or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to one of those sections involving a person who was a family or household member at the time of the violation, a violation of division (A) or (B) of this section is a felony of the fifth degree, and a violation of division (C) of this section is a misdemeanor of the third degree. 446  
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(E) Notwithstanding any provision of law to the contrary, no court or unit of state or local government shall charge any fee, cost, deposit, or money in connection with the filing of charges against a person alleging that the person violated this section or a municipal ordinance substantially similar to this section or in connection with the prosecution of any charges so filed. 465  
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(F) As used in this section and sections 2919.251 and 2919.26 of the Revised Code: 471  
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(1) "Family or household member" means any of the following:	473
(a) Any of the following who is residing or has resided with the offender:	474
(i) A spouse, a person living as a spouse, or a former spouse of the offender;	475
(ii) A parent or a child of the offender, or another person related by consanguinity or affinity to the offender;	476
(iii) A parent or a child of a spouse, person living as a spouse, or former spouse of the offender, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of the offender.	477
(b) The natural parent of any child of whom the offender is the other natural parent or is the putative other natural parent.	478
(2) "Person living as a spouse" means a person who is living or has lived with the offender in a common law marital relationship, who otherwise is cohabiting with the offender, or who otherwise has cohabited with the offender within five years prior to the date of the alleged commission of the act in question.	479
<b>Sec. 2919.26.</b> (A)(1) Upon the filing of a complaint that alleges a violation of section 2919.25 of the Revised Code, a violation of a municipal ordinance substantially similar to that section, a violation of section 2903.11, 2903.12, 2903.13, 2903.211, or 2911.211 of the Revised Code that involves a person who was a family or household member at the time of the violation, or a violation of a municipal ordinance that is substantially similar to section 2903.13, 2903.211, or 2911.211 of the Revised Code that involves a person who was a family or household member at the time of the violation, the complainant, the alleged victim, or a family or household member of an alleged victim may file, or,	480
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if in an emergency the alleged victim is unable to file, a person 503  
who made an arrest for the alleged violation under section 2935.03 504  
of the Revised Code may file on behalf of the alleged victim, a 505  
motion that requests the issuance of a temporary protection order 506  
as a pretrial condition of release of the alleged offender, in 507  
addition to any bail set under Criminal Rule 46. The motion shall 508  
be filed with the clerk of the court that has jurisdiction of the 509  
case at any time after the filing of the complaint. 510

(2) For purposes of section 2930.09 of the Revised Code, all 511  
stages of a proceeding arising out of a violation specified in 512  
division (A)(1) of this section, including all proceedings on a 513  
motion for a temporary protection order, are critical stages of 514  
the case, and a victim may be accompanied by a victim advocate or 515  
another person to provide support to the victim as provided in 516  
that section. 517

(B) The motion shall be prepared on a form that is provided 518  
by the clerk of the court, which form shall be substantially as 519  
follows: 520

"MOTION FOR TEMPORARY PROTECTION ORDER 521

..... Court 522

Name and address of court 523

State of Ohio 524

v. No. .... 525

..... 526

Name of Defendant 527

(name of person), moves the court to issue a temporary protection 528  
order containing terms designed to ensure the safety and 529  
protection of the complainant, alleged victim, and other family or 530  
household members, in relation to the named defendant, pursuant to 531  
its authority to issue such an order under section 2919.26 of the 532  
Revised Code. 533

A complaint, a copy of which has been attached to this 534  
motion, has been filed in this court charging the named defendant 535  
with at least one of the following violations of section 2919.25 536  
of the Revised Code that constitutes "domestic violence" or a 537  
municipal ordinance that is substantially similar to that section: 538  
knowingly causing or attempting to cause physical harm to a family 539  
or household member; recklessly causing serious physical harm to a 540  
family or household member; or, by threat of force, knowingly 541  
causing a family or household member to believe that the named 542  
defendant would cause imminent physical harm to that family or 543  
household member; charging the named defendant with felonious 544  
assault, aggravated assault, or assault that involved a family or 545  
household member in violation of section 2903.11, 2903.12, or 546  
2903.13 of the Revised Code; charging the named defendant with 547  
menacing by stalking or aggravated trespass that involves a family 548  
or household member in violation of section 2903.211 or 2911.211 549  
of the Revised Code; or charging the named defendant with a 550  
violation of a municipal ordinance that is substantially similar 551  
to section 2903.13, 2903.211, or 2911.211 of the Revised Code that 552  
involves a family or household member. 553

I understand that I must appear before the court, at a time 554  
set by the court within twenty-four hours after the filing of this 555  
motion, for a hearing on the motion or that, if I am unable to 556  
appear because of hospitalization or a medical condition resulting 557  
from the offense alleged in the complaint, a person who can 558  
provide information about my need for a temporary protection order 559  
must appear before the court in lieu of my appearing in court. I 560  
understand that any temporary protection order granted pursuant to 561  
this motion is a pretrial condition of release and is effective 562  
only until the disposition of the criminal proceeding arising out 563  
of the attached complaint, or the issuance of a civil protection 564  
order or the approval of a consent agreement, arising out of the 565

same activities as those that were the basis of the complaint,	566
under section 3113.31 of the Revised Code.	567
.....	568
Signature of person	569
(or signature of the arresting officer who filed the motion on	570
behalf of the alleged victim)	571
.....	572
Address of person (or office address of the arresting officer who	573
filed the motion on behalf of the alleged victim)"	574
(C)(1) As soon as possible after the filing of a motion that	575
requests the issuance of a temporary protection order, but not	576
later than twenty-four hours after the filing of the motion, the	577
court shall conduct a hearing to determine whether to issue the	578
order. The person who requested the order shall appear before the	579
court and provide the court with the information that it requests	580
concerning the basis of the motion. If the person who requested	581
the order is unable to appear and if the court finds that the	582
failure to appear is because of the person's hospitalization or	583
medical condition resulting from the offense alleged in the	584
complaint, another person who is able to provide the court with	585
the information it requests may appear in lieu of the person who	586
requested the order. If the court finds that the safety and	587
protection of the complainant, alleged victim, or any other family	588
or household member of the alleged offender may be impaired by the	589
continued presence of the alleged offender, the court may issue a	590
temporary protection order, as a pretrial condition of release,	591
that contains terms designed to ensure the safety and protection	592
of the complainant, alleged victim, or the family or household	593
member, including a requirement that the alleged offender refrain	594
from entering the residence, school, business, or place of	595
employment of the complainant, alleged victim, or the family or	596

household member. 597

(2)(a) If the court issues a temporary protection order that 598  
includes a requirement that the alleged offender refrain from 599  
entering the residence, school, business, or place of employment 600  
of the complainant, the alleged victim, or the family or household 601  
member, the order shall state clearly that the order cannot be 602  
waived or nullified by an invitation to the alleged offender from 603  
the complainant, alleged victim, or family or household member to 604  
enter the residence, school, business, or place of employment or 605  
by the alleged offender's entry into one of those places otherwise 606  
upon the consent of the complainant, alleged victim, or family or 607  
household member. 608

(b) Division (C)(2)(a) of this section does not limit any 609  
discretion of a court to determine that an alleged offender 610  
charged with a violation of section 2919.27 of the Revised Code, 611  
with a violation of a municipal ordinance substantially equivalent 612  
to that section, or with contempt of court, which charge is based 613  
on an alleged violation of a temporary protection order issued 614  
under this section, did not commit the violation or was not in 615  
contempt of court. 616

(D)(1) Upon the filing of a complaint that alleges a 617  
violation of section 2919.25 of the Revised Code, a violation of a 618  
municipal ordinance that is substantially similar to that section, 619  
a violation of section 2903.11, 2903.12, 2903.13, 2903.211, or 620  
2911.211 of the Revised Code that involves a person who was a 621  
family or household member at the time of the violation, or a 622  
violation of a municipal ordinance that is substantially similar 623  
to section 2903.13, 2903.211, or 2911.211 of the Revised Code that 624  
involves a person who was a family or household member at the time 625  
of the violation, the court, upon its own motion, may issue a 626  
temporary protection order as a pretrial condition of release if 627  
it finds that the safety and protection of the complainant, 628

alleged victim, or other family or household member of the alleged  
offender may be impaired by the continued presence of the alleged  
offender.

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(2) If the court issues a temporary protection order under  
this section as an ex parte order, it shall conduct, as soon as  
possible after the issuance of the order, a hearing in the  
presence of the alleged offender not later than the next day on  
which the court is scheduled to conduct business after the day on  
which the alleged offender was arrested or at the time of the  
appearance of the alleged offender pursuant to summons to  
determine whether the order should remain in effect, be modified,  
or be revoked. The hearing shall be conducted under the standards  
set forth in division (C) of this section.

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(3) An order issued under this section shall contain only  
those terms authorized in orders issued under division (C) of this  
section.

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(4) If a municipal court or a county court issues a temporary  
protection order under this section and if, subsequent to the  
issuance of the order, the alleged offender who is the subject of  
the order is bound over to the court of common pleas for  
prosecution of a felony arising out of the same activities as  
those that were the basis of the complaint upon which the order is  
based, notwithstanding the fact that the order was issued by a  
municipal court or county court, the order shall remain in effect,  
as though it were an order of the court of common pleas, while the  
charges against the alleged offender are pending in the court of  
common pleas, for the period of time described in division (E)(2)  
of this section, and the court of common pleas has exclusive  
jurisdiction to modify the order issued by the municipal court or  
county court. This division applies when the alleged offender is  
bound over to the court of common pleas as a result of the person  
waiving a preliminary hearing on the felony charge, as a result of

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the municipal court or county court having determined at a 661  
preliminary hearing that there is probable cause to believe that 662  
the felony has been committed and that the alleged offender 663  
committed it, as a result of the alleged offender having been 664  
indicted for the felony, or in any other manner. 665

(E) A temporary protection order that is issued as a pretrial 666  
condition of release under this section: 667

(1) Is in addition to, but shall not be construed as a part 668  
of, any bail set under Criminal Rule 46; 669

(2) Is effective only until the occurrence of either of the 670  
following: 671

(a) The disposition, by the court that issued the order or, 672  
in the circumstances described in division (D)(4) of this section, 673  
by the court of common pleas to which the alleged offender is 674  
bound over for prosecution, of the criminal proceeding arising out 675  
of the complaint upon which the order is based; 676

(b) The issuance of a protection order or the approval of a 677  
consent agreement, arising out of the same activities as those 678  
that were the basis of the complaint upon which the order is 679  
based, under section 3113.31 of the Revised Code; 680

(3) Shall not be construed as a finding that the alleged 681  
offender committed the alleged offense, and shall not be 682  
introduced as evidence of the commission of the offense at the 683  
trial of the alleged offender on the complaint upon which the 684  
order is based. 685

(F) A person who meets the criteria for bail under Criminal 686  
Rule 46 and who, if required to do so pursuant to that rule, 687  
executes or posts bond or deposits cash or securities as bail, 688  
shall not be held in custody pending a hearing before the court on 689  
a motion requesting a temporary protection order. 690

(G)(1) A copy of any temporary protection order that is 691  
issued under this section shall be issued by the court to the 692  
complainant, to the alleged victim, to the person who requested 693  
the order, to the defendant, and to all law enforcement agencies 694  
that have jurisdiction to enforce the order. The court shall 695  
direct that a copy of the order be delivered to the defendant on 696  
the same day that the order is entered. If a municipal court or a 697  
county court issues a temporary protection order under this 698  
section and if, subsequent to the issuance of the order, the 699  
defendant who is the subject of the order is bound over to the 700  
court of common pleas for prosecution as described in division 701  
(D)(4) of this section, the municipal court or county court shall 702  
direct that a copy of the order be delivered to the court of 703  
common pleas to which the defendant is bound over. 704

(2) All law enforcement agencies shall establish and maintain 705  
an index for the temporary protection orders delivered to the 706  
agencies pursuant to division (G)(1) of this section. With respect 707  
to each order delivered, each agency shall note on the index, the 708  
date and time of the receipt of the order by the agency. 709

(3) A complainant, alleged victim, or other person who 711  
obtains a temporary protection order under this section may 712  
provide notice of the issuance of the temporary protection order 713  
to the judicial and law enforcement officials in any county other 714  
than the county in which the order is issued by registering that 715  
order in the other county in accordance with division (N) of 716  
section 3113.31 of the Revised Code and filing a copy of the 717  
registered protection order with a law enforcement agency in the 718  
other county in accordance with that division. 719

(4) Any officer of a law enforcement agency shall enforce a 720  
temporary protection order issued by any court in this state in 721  
accordance with the provisions of the order, including removing 722



the defendant from the premises, regardless of whether the order  
is registered in the county in which the officer's agency has  
jurisdiction as authorized by division (G)(3) of this section.

(H) Upon a violation of a temporary protection order, the  
court may issue another temporary protection order, as a pretrial  
condition of release, that modifies the terms of the order that  
was violated.

(I)(1) As used in divisions (I)(1) and (2) of this section,  
"defendant" means a person who is alleged in a complaint to have  
committed a violation of the type described in division (A) of  
this section.

(2) If a complaint is filed that alleges that a person  
committed a violation of the type described in division (A) of  
this section, the court may not issue a temporary protection order  
under this section that requires the complainant, the alleged  
victim, or another family or household member of the defendant to  
do or refrain from doing an act that the court may require the  
defendant to do or refrain from doing under a temporary protection  
order unless both of the following apply:

(a) The defendant has filed a separate complaint that alleges  
that the complainant, alleged victim, or other family or household  
member in question who would be required under the order to do or  
refrain from doing the act committed a violation of the type  
described in division (A) of this section.

(b) The court determines that both the complainant, alleged  
victim, or other family or household member in question who would  
be required under the order to do or refrain from doing the act  
and the defendant acted primarily as aggressors, that neither the  
complainant, alleged victim, or other family or household member  
in question who would be required under the order to do or refrain  
from doing the act nor the defendant acted primarily in

self-defense, and, in accordance with the standards and criteria  
of this section as applied in relation to the separate complaint  
filed by the defendant, that it should issue the order to require  
the complainant, alleged victim, or other family or household  
member in question to do or refrain from doing the act.

(J) Notwithstanding any provision of law to the contrary and  
regardless of whether a protection order is issued or a consent  
agreement is approved by a court of another county or a court of  
another state, no court or unit of state or local government shall  
charge a any fee for, cost, deposit, or money in connection with  
the filing of a motion pursuant to this section, in connection  
with the filing, issuance, registration, or service of a  
protection order or consent agreement, or for obtaining a  
certified copy of a protection order or consent agreement.

(K) As used in this section, "victim advocate" means a person  
who provides support and assistance for a victim of an offense  
during court proceedings.

**Sec. 2919.27.** (A) No person shall recklessly violate the  
terms of any of the following:

(1) A protection order issued or consent agreement approved  
pursuant to section 2919.26 or 3113.31 of the Revised Code;

(2) A protection order issued pursuant to section 2903.213 or  
2903.214 of the Revised Code;

(3) A protection order issued by a court of another state.

(B) Whoever violates this section is guilty of violating a  
protection order.

(1) If the offense involves a violation of division (A)(1) or  
(3) of this section, one of the following applies:

(a) Except as otherwise provided in division (B)(1)(b) of

this section, violating a protection order is a misdemeanor of the first degree.

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(b) If the offender previously has been convicted of or pleaded guilty to two or more violations of section 2903.211 or 2911.211 of the Revised Code that involved the same person who is the subject of the protection order or consent agreement or previously has been convicted of or pleaded guilty to one or more violations of this section, violating a protection order is a felony of the fifth degree.

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(2) If the offense involves a violation of division (A)(2) of this section, one of the following applies:

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(a) Except as otherwise provided in division (B)(2)(b) of this section, violating a protection order is a misdemeanor of the first degree.

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(b) If the offender previously has been convicted of or pleaded guilty to two or more violations of this section or of former section 2919.27 of the Revised Code involving a protection order issued pursuant to section 2903.213 or 2903.214 of the Revised Code, two or more violations of section 2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code that involved the same person who is the subject of the protection order, or two or more violations of section 2903.214 of the Revised Code as it existed prior to July 1, 1996, violating a protection order is a felony of the fifth degree.

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(C) It is an affirmative defense to a charge under division (A)(3) of this section that the protection order issued by a court of another state does not comply with the requirements specified in 18 U.S.C. 2265(b) for a protection order that must be accorded full faith and credit by a court of this state or that it is not entitled to full faith and credit under 18 U.S.C. 2265(c).

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(D) As used in this section, "protection order issued by a

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court of another state" means an injunction or another order  
issued by a criminal court of another state for the purpose of  
preventing violent or threatening acts or harassment against,  
contact or communication with, or physical proximity to another  
person, including a temporary order, and means an injunction or  
order of that nature issued by a civil court of another state,  
including a temporary order and a final order issued in an  
independent action or as a pendente lite order in a proceeding for  
other relief, if the court issued it in response to a complaint,  
petition, or motion filed by or on behalf of a person seeking  
protection. "Protection order issued by a court of another state"  
does not include an order for support or for custody of a child  
issued pursuant to the divorce and child custody laws of another  
state, except to the extent that the order for support or for  
custody of a child is entitled to full faith and credit under the  
laws of the United States.

**Sec. 2919.272.** (A) As used in this section, "protection order  
issued by a court of another state" has the same meaning as in  
section 2919.27 of the Revised Code.

(B) A person who has obtained a protection order issued by a  
court of another state may provide notice of the issuance of the  
order to judicial and law enforcement officials in any county of  
this state by registering the order in that county and filing a  
copy of the registered order with a law enforcement agency in that  
county. To register the order, the person shall obtain a certified  
copy of the order from the clerk of the court that issued the  
order and present that certified copy to the clerk of the court of  
common pleas or the clerk of a municipal court or county court in  
the county in which the order is to be registered. Upon accepting  
the certified copy of the order for registration, the clerk shall  
place an endorsement of registration on the order and give the  
person a copy of the order that bears proof of registration. The

person then may file with a law enforcement agency in that county  
a copy of the order that bears proof of registration.

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(C) The clerk of each court of common pleas and the clerk of  
each municipal court and county court shall maintain a registry of  
certified copies of protection orders issued by courts of another  
state that have been registered with the clerk. Each law  
enforcement agency shall establish and maintain a registry for  
protection orders delivered to the agency pursuant to this  
section. The agency shall note in the registry the date and time  
that the agency received an order.

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(D) An officer of a law enforcement agency shall enforce a  
protection order issued by a court of another state in accordance  
with the provisions of the order, including removing the person  
allegedly violating the order from the premises, regardless of  
whether the order is registered as authorized by division (B) of  
this section in the county in which the officer's agency has  
jurisdiction.

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(E) Notwithstanding any provision of law to the contrary and  
regardless of whether a protection order is issued or a consent  
agreement is approved by a court of another county or a court of  
another state, no court or unit of state or local government shall  
charge any fee, cost, deposit, or money in connection with the  
filing, issuance, registration, or service of a protection order  
or consent agreement or for obtaining a certified copy of a  
protection order or consent agreement, including a protection  
order issued by a court of another state.

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**Sec. 3113.31.** (A) As used in this section:

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(1) "Domestic violence" means the occurrence of one or more  
of the following acts against a family or household member:

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(a) Attempting to cause or recklessly causing bodily injury;

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(b) Placing another person by the threat of force in fear of  
imminent serious physical harm or committing a violation of  
section 2903.211 or 2911.211 of the Revised Code;

(c) Committing any act with respect to a child that would  
result in the child being an abused child, as defined in section  
2151.031 of the Revised Code.

(2) "Court" means the domestic relations division of the  
court of common pleas in counties that have a domestic relations  
division, and the court of common pleas in counties that do not  
have a domestic relations division.

(3) "Family or household member" means any of the following:

(a) Any of the following who is residing with or has resided  
with the respondent:

(i) A spouse, a person living as a spouse, or a former spouse  
of the respondent;

(ii) A parent or a child of the respondent, or another person  
related by consanguinity or affinity to the respondent;

(iii) A parent or a child of a spouse, person living as a  
spouse, or former spouse of the respondent, or another person  
related by consanguinity or affinity to a spouse, person living as  
a spouse, or former spouse of the respondent.

(b) The natural parent of any child of whom the respondent is  
the other natural parent or is the putative other natural parent.

(4) "Person living as a spouse" means a person who is living  
or has lived with the respondent in a common law marital  
relationship, who otherwise is cohabiting with the respondent, or  
who otherwise has cohabited with the respondent within five years  
prior to the date of the alleged occurrence of the act in  
question.

(5) "Victim advocate" means a person who provides support and assistance for a person who files a petition under this section.

(B) The court has jurisdiction over all proceedings under this section. The petitioner's right to relief under this section is not affected by the petitioner's leaving the residence or household to avoid further domestic violence.

(C) A person may seek relief under this section on the person's own behalf, or any parent or adult household member may seek relief under this section on behalf of any other family or household member, by filing a petition with the court. The petition shall contain or state:

(1) An allegation that the respondent engaged in domestic violence against a family or household member of the respondent, including a description of the nature and extent of the domestic violence;

(2) The relationship of the respondent to the petitioner, and to the victim if other than the petitioner;

(3) A request for relief under this section.

(D)(1) If a person who files a petition pursuant to this section requests an ex parte order, the court shall hold an ex parte hearing on the same day that the petition is filed. The court, for good cause shown at the ex parte hearing, may enter any temporary orders, with or without bond, including, but not limited to, an order described in division (E)(1)(a), (b), or (c) of this section, that the court finds necessary to protect the family or household member from domestic violence. Immediate and present danger of domestic violence to the family or household member constitutes good cause for purposes of this section. Immediate and present danger includes, but is not limited to, situations in which the respondent has threatened the family or household member

with bodily harm or in which the respondent previously has been 938  
convicted of or pleaded guilty to an offense that constitutes 939  
domestic violence against the family or household member. 940

(2)(a) If the court, after an ex parte hearing, issues an 941  
order described in division (E)(1)(b) or (c) of this section, the 942  
court shall schedule a full hearing for a date that is within 943  
seven court days after the ex parte hearing. If any other type of 944  
protection order that is authorized under division (E) of this 945  
section is issued by the court after an ex parte hearing, the 946  
court shall schedule a full hearing for a date that is within ten 947  
court days after the ex parte hearing. The court shall give the 948  
respondent notice of, and an opportunity to be heard at, the full 949  
hearing. The court shall hold the full hearing on the date 950  
scheduled under this division unless the court grants a 951  
continuance of the hearing in accordance with this division. Under 952  
any of the following circumstances or for any of the following 953  
reasons, the court may grant a continuance of the full hearing to 954  
a reasonable time determined by the court: 955

(i) Prior to the date scheduled for the full hearing under 956  
this division, the respondent has not been served with the 957  
petition filed pursuant to this section and notice of the full 958  
hearing. 959

(ii) The parties consent to the continuance. 960

(iii) The continuance is needed to allow a party to obtain 961  
counsel. 962

(iv) The continuance is needed for other good cause. 963

(b) An ex parte order issued under this section does not 964  
expire because of a failure to serve notice of the full hearing 965  
upon the respondent before the date set for the full hearing under 966  
division (D)(2)(a) of this section or because the court grants a 967  
continuance under that division. 968



(3) If a person who files a petition pursuant to this section 969  
does not request an ex parte order, or if a person requests an ex 970  
parte order but the court does not issue an ex parte order after 971  
an ex parte hearing, the court shall proceed as in a normal civil 972  
action and grant a full hearing on the matter. 973

(E)(1) After an ex parte or full hearing, the court may grant 974  
any protection order, with or without bond, or approve any consent 975  
agreement to bring about a cessation of domestic violence against 976  
the family or household members. The order or agreement may: 977

(a) Direct the respondent to refrain from abusing the family 979  
or household members; 980

(b) Grant possession of the residence or household to the 981  
petitioner or other family or household member, to the exclusion 982  
of the respondent, by evicting the respondent, when the residence 983  
or household is owned or leased solely by the petitioner or other 984  
family or household member, or by ordering the respondent to 985  
vacate the premises, when the residence or household is jointly 986  
owned or leased by the respondent, and the petitioner or other 987  
family or household member; 988

(c) When the respondent has a duty to support the petitioner 989  
or other family or household member living in the residence or 990  
household and the respondent is the sole owner or lessee of the 991  
residence or household, grant possession of the residence or 992  
household to the petitioner or other family or household member, 993  
to the exclusion of the respondent, by ordering the respondent to 994  
vacate the premises, or, in the case of a consent agreement, allow 995  
the respondent to provide suitable, alternative housing; 996

(d) Temporarily allocate parental rights and responsibilities 997  
for the care of, or establish temporary parenting time rights with 998  
regard to, minor children, if no other court has determined, or is 999

determining, the allocation of parental rights and 1000  
responsibilities for the minor children or parenting time rights; 1001  
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(e) Require the respondent to maintain support, if the 1003  
respondent customarily provides for or contributes to the support 1004  
of the family or household member, or if the respondent has a duty 1005  
to support the petitioner or family or household member; 1006

(f) Require the respondent, petitioner, victim of domestic 1007  
violence, or any combination of those persons, to seek counseling; 1008

(g) Require the respondent to refrain from entering the 1009  
residence, school, business, or place of employment of the 1010  
petitioner or family or household member; 1011

(h) Grant other relief that the court considers equitable and 1012  
fair, including, but not limited to, ordering the respondent to 1013  
permit the use of a motor vehicle by the petitioner or other 1014  
family or household member and the apportionment of household and 1015  
family personal property. 1016

(2) If a protection order has been issued pursuant to this 1017  
section in a prior action involving the respondent and the 1018  
petitioner or one or more of the family or household members, the 1019  
court may include in a protection order that it issues a 1020  
prohibition against the respondent returning to the residence or 1021  
household. If it includes a prohibition against the respondent 1022  
returning to the residence or household in the order, it also 1023  
shall include in the order provisions of the type described in 1024  
division (E)(7) of this section. This division does not preclude 1025  
the court from including in a protection order or consent 1026  
agreement, in circumstances other than those described in this 1027  
division, a requirement that the respondent be evicted from or 1028  
vacate the residence or household or refrain from entering the 1029  
residence, school, business, or place of employment of the 1030  
petitioner or a family or household member, and, if the court 1031

includes any requirement of that type in an order or agreement, 1032  
the court also shall include in the order provisions of the type 1033  
described in division (E)(7) of this section. 1034

(3)(a) Any protection order issued or consent agreement 1035  
approved under this section shall be valid until a date certain, 1036  
but not later than five years from the date of its issuance or 1037  
approval. 1038

(b) Subject to the limitation on the duration of an order or 1039  
agreement set forth in division (E)(3)(a) of this section, any 1040  
order under division (E)(1)(d) of this section shall terminate on 1041  
the date that a court in an action for divorce, dissolution of 1042  
marriage, or legal separation brought by the petitioner or 1043  
respondent issues an order allocating parental rights and 1044  
responsibilities for the care of children or on the date that a 1045  
juvenile court in an action brought by the petitioner or 1046  
respondent issues an order awarding legal custody of minor 1047  
children. Subject to the limitation on the duration of an order or 1048  
agreement set forth in division (E)(3)(a) of this section, any 1049  
order under division (E)(1)(e) of this section shall terminate on 1050  
the date that a court in an action for divorce, dissolution of 1051  
marriage, or legal separation brought by the petitioner or 1052  
respondent issues a support order or on the date that a juvenile 1053  
court in an action brought by the petitioner or respondent issues 1054  
a support order. 1055

(c) Any protection order issued or consent agreement approved 1056  
pursuant to this section may be renewed in the same manner as the 1057  
original order or agreement was issued or approved. 1058

(4) A court may not issue a protection order that requires a 1059  
petitioner to do or to refrain from doing an act that the court 1060  
may require a respondent to do or to refrain from doing under 1061  
division (E)(1)(a), (b), (c), (d), (e), (g), or (h) of this 1062  
section unless all of the following apply: 1063

(a) The respondent files a separate petition for a protection order in accordance with this section. 1064  
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(b) The petitioner is served notice of the respondent's petition at least forty-eight hours before the court holds a hearing with respect to the respondent's petition, or the petitioner waives the right to receive this notice. 1066  
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(c) If the petitioner has requested an ex parte order pursuant to division (D) of this section, the court does not delay any hearing required by that division beyond the time specified in that division in order to consolidate the hearing with a hearing on the petition filed by the respondent. 1070  
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(d) After a full hearing at which the respondent presents evidence in support of the request for a protection order and the petitioner is afforded an opportunity to defend against that evidence, the court determines that the petitioner has committed an act of domestic violence or has violated a temporary protection order issued pursuant to section 2919.26 of the Revised Code, that both the petitioner and the respondent acted primarily as aggressors, and that neither the petitioner nor the respondent acted primarily in self-defense. 1075  
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(5) No protection order issued or consent agreement approved under this section shall in any manner affect title to any real property. 1084  
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(6)(a) If a petitioner, or the child of a petitioner, who obtains a protection order or consent agreement pursuant to division (E)(1) of this section or a temporary protection order pursuant to section 2919.26 of the Revised Code and is the subject of a parenting time order issued pursuant to section 3109.051 or 3109.12 of the Revised Code or a visitation or companionship order issued pursuant to section 3109.051, 3109.11, or 3109.12 of the Revised Code or division (E)(1)(d) of this section granting 1087  
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parenting time rights to the respondent, the court may require the  
public children services agency of the county in which the court  
is located to provide supervision of the respondent's exercise of  
parenting time or visitation or companionship rights with respect  
to the child for a period not to exceed nine months, if the court  
makes the following findings of fact:

(i) The child is in danger from the respondent;

(ii) No other person or agency is available to provide the  
supervision.

(b) A court that requires an agency to provide supervision  
pursuant to division (E)(6)(a) of this section shall order the  
respondent to reimburse the agency for the cost of providing the  
supervision, if it determines that the respondent has sufficient  
income or resources to pay that cost.

(7)(a) If a protection order issued or consent agreement  
approved under this section includes a requirement that the  
respondent be evicted from or vacate the residence or household or  
refrain from entering the residence, school, business, or place of  
employment of the petitioner or a family or household member, the  
order or agreement shall state clearly that the order or agreement  
cannot be waived or nullified by an invitation to the respondent  
from the petitioner or other family or household member to enter  
the residence, school, business, or place of employment or by the  
respondent's entry into one of those places otherwise upon the  
consent of the petitioner or other family or household member.

(b) Division (E)(7)(a) of this section does not limit any  
discretion of a court to determine that a respondent charged with  
a violation of section 2919.27 of the Revised Code, with a  
violation of a municipal ordinance substantially equivalent to  
that section, or with contempt of court, which charge is based on  
an alleged violation of a protection order issued or consent

agreement approved under this section, did not commit the 1126  
violation or was not in contempt of court. 1127

(F)(1) A copy of any protection order, or consent agreement, 1128  
that is issued or approved under this section shall be issued by 1129  
the court to the petitioner, to the respondent, and to all law 1130  
enforcement agencies that have jurisdiction to enforce the order 1131  
or agreement. The court shall direct that a copy of an order be 1132  
delivered to the respondent on the same day that the order is 1133  
entered. 1134

(2) All law enforcement agencies shall establish and maintain 1135  
an index for the protection orders and the approved consent 1136  
agreements delivered to the agencies pursuant to division (F)(1) 1137  
of this section. With respect to each order and consent agreement 1138  
delivered, each agency shall note on the index the date and time 1139  
that it received the order or consent agreement. 1140

(3) Regardless of whether the petitioner has registered the 1141  
order or agreement in the county in which the officer's agency has 1142  
jurisdiction pursuant to division (N) of this section, any officer 1143  
of a law enforcement agency shall enforce a protection order 1144  
issued or consent agreement approved by any court in this state in 1145  
accordance with the provisions of the order or agreement, 1146  
including removing the respondent from the premises, if 1147  
appropriate. 1148

(G) Any proceeding under this section shall be conducted in 1149  
accordance with the Rules of Civil Procedure, except that an order 1150  
under this section may be obtained with or without bond. An order 1151  
issued under this section, other than an ex parte order, that 1152  
grants a protection order or approves a consent agreement, or that 1153  
refuses to grant a protection order or approve a consent 1154  
agreement, is a final, appealable order. The remedies and 1155  
procedures provided in this section are in addition to, and not in 1156  
lieu of, any other available civil or criminal remedies. 1157

(H) The filing of proceedings under this section does not 1158  
excuse a person from filing any report or giving any notice 1159  
required by section 2151.421 of the Revised Code or by any other 1160  
law. When a petition under this section alleges domestic violence 1161  
against minor children, the court shall report the fact, or cause 1162  
reports to be made, to a county, township, or municipal peace 1163  
officer under section 2151.421 of the Revised Code. 1164

(I) Any law enforcement agency that investigates a domestic 1165  
dispute shall provide information to the family or household 1166  
members involved regarding the relief available under this section 1167  
and section 2919.26 of the Revised Code. 1168

(J) Notwithstanding any provision of law to the contrary and 1169  
regardless of whether a protection order is issued or a consent 1170  
agreement is approved by a court of another county or a court of 1171  
another state, no court or unit of state or local government shall 1172  
charge a any fee for, cost, deposit, or money in connection with 1173  
the filing of a petition pursuant to this section or in connection 1174  
with the filing, issuance, registration, or service of a 1175  
protection order or consent agreement, or for obtaining a 1176  
certified copy of a protection order or consent agreement. 1177

(K)(1) The court shall comply with Chapters 3119., 3121., 1178  
3123., and 3125. of the Revised Code when it makes or modifies an 1179  
order for child support under this section. 1180

(2) If any person required to pay child support under an 1181  
order made under this section on or after April 15, 1985, or 1182  
modified under this section on or after December 31, 1986, is 1183  
found in contempt of court for failure to make support payments 1184  
under the order, the court that makes the finding, in addition to 1185  
any other penalty or remedy imposed, shall assess all court costs 1186  
arising out of the contempt proceeding against the person and 1187  
require the person to pay any reasonable attorney's fees of any 1188  
adverse party, as determined by the court, that arose in relation 1189

to the act of contempt. 1190

(L)(1) A person who violates a protection order issued or a 1191  
consent agreement approved under this section is subject to the 1192  
following sanctions: 1193

(a) Criminal prosecution for a violation of section 2919.27 1194  
of the Revised Code, if the violation of the protection order or 1195  
consent agreement constitutes a violation of that section; 1196

(b) Punishment for contempt of court. 1197

(2) The punishment of a person for contempt of court for 1198  
violation of a protection order issued or a consent agreement 1199  
approved under this section does not bar criminal prosecution of 1200  
the person for a violation of section 2919.27 of the Revised Code. 1201  
However, a person punished for contempt of court is entitled to 1202  
credit for the punishment imposed upon conviction of a violation 1203  
of that section, and a person convicted of a violation of that 1204  
section shall not subsequently be punished for contempt of court 1205  
arising out of the same activity. 1206

(M) In all stages of a proceeding under this section, a 1207  
petitioner may be accompanied by a victim advocate. 1208

(N)(1) A petitioner who obtains a protection order or consent 1209  
agreement under this section or a temporary protection order under 1210  
section 2919.26 of the Revised Code may provide notice of the 1211  
issuance or approval of the order or agreement to the judicial and 1212  
law enforcement officials in any county other than the county in 1213  
which the order is issued or the agreement is approved by 1214  
registering that order or agreement in the other county pursuant 1215  
to division (N)(2) of this section and filing a copy of the 1216  
registered order or registered agreement with a law enforcement 1217  
agency in the other county in accordance with that division. A 1218  
person who obtains a protection order issued by a court of another 1219  
state may provide notice of the issuance of the order to the 1220



judicial and law enforcement officials in any county of this state 1221  
by registering the order in that county pursuant to section 1222  
2919.272 of the Revised Code and filing a copy of the registered 1223  
order with a law enforcement agency in that county. 1224

(2) A petitioner may register a temporary protection order, 1225  
protection order, or consent agreement in a county other than the 1226  
county in which the court that issued the order or approved the 1227  
agreement is located in the following manner: 1228

(a) The petitioner shall obtain a certified copy of the order 1229  
or agreement from the clerk of the court that issued the order or 1230  
approved the agreement and present that certified copy to the 1231  
clerk of the court of common pleas or the clerk of a municipal 1232  
court or county court in the county in which the order or 1233  
agreement is to be registered. 1234

(b) Upon accepting the certified copy of the order or 1235  
agreement for registration, the clerk of the court of common 1236  
pleas, municipal court, or county court shall place an endorsement 1237  
of registration on the order or agreement and give the petitioner 1238  
a copy of the order or agreement that bears that proof of 1239  
registration. 1240

(3) The clerk of each court of common pleas, the clerk of 1241  
each municipal court, and the clerk of each county court shall 1242  
maintain a registry of certified copies of temporary protection 1243  
orders, protection orders, or consent agreements that have been 1244  
issued or approved by courts in other counties and that have been 1245  
registered with the clerk. 1246

~~(4) If a petitioner who obtains a protection order or consent 1247  
agreement under this section or a temporary protection order under 1248  
section 2919.26 of the Revised Code wishes to register the order 1249  
or agreement in any county other than the county in which the 1250  
order was issued or the agreement was approved, pursuant to 1251~~

~~divisions (N)(1) to (3) of this section, and if the petitioner is  
indigent, both of the following apply:~~

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~~(a) If the petitioner submits to the clerk of the court that  
issued the order or approved the agreement satisfactory proof that  
the petitioner is indigent, the clerk may waive any fee that  
otherwise would be required for providing the petitioner with a  
certified copy of the order or agreement to be used for purposes  
of divisions (N)(1) to (3) of this section;~~

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~~(b) If the petitioner submits to the clerk of the court of  
common pleas or the clerk of a municipal court or county court in  
the county in which the order or agreement is to be registered  
satisfactory proof that the petitioner is indigent, the clerk may  
waive any fee that otherwise would be required for accepting for  
registration a certified copy of the order or agreement, for  
placing an endorsement of registration on the order or agreement,  
or for giving the petitioner a copy of the order or agreement that  
bears the proof of registration.~~

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**Section 2.** That existing sections 2903.213, 2903.214,  
2919.25, 2919.26, 2919.27, 2919.272, and 3113.31 of the Revised  
Code are hereby repealed.

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