

**As Reported by the House Civil and Commercial Law Committee**

**124th General Assembly**

**Regular Session**

**2001-2002**

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

**REPRESENTATIVES Manning, Willamowski, Latta, Sulzer**

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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  
..... 64  
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 68  
the filing of the motion, the court shall conduct a hearing to 69  
determine whether to issue the order. The person who requested the 70  
order shall appear before the court and provide the court with the 71  
information that it requests concerning the basis of the motion. 72  
If the court finds that the safety and protection of the 73  
complainant or the alleged victim may be impaired by the continued 74  
presence of the alleged offender, the court may issue a protection 75  
order under this section, as a pretrial condition of release, that 76  
contains terms designed to ensure the safety and protection of the 77  
complainant or the alleged victim, including a requirement that 78  
the alleged offender refrain from entering the residence, school, 79  
business, or place of employment of the complainant or the alleged 80  
victim. 81

(2)(a) If the court issues a protection order under this 82

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  
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

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revoked. The hearing shall be conducted under the standards set forth in division (C) of this section.

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

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

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

(2) Is effective only until the disposition, by the court that issued the order or, in the circumstances described in division (D)(3) of this section, by the court of common pleas to which the alleged offender is bound over for prosecution, of the criminal proceeding arising out of the complaint upon which the

order is based or until the issuance under section 2903.214 of the  
Revised Code of a protection order arising out of the same  
activities as those that were the basis of the complaint filed  
under this section;

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

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

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

(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.

(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.

(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.

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

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

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

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

(3) "Family or household member" has the same meaning as in section 3113.31 of the Revised Code.

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

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

(C) A person may seek relief under this section for the person, 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 both of the following:

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

(2) 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 as soon as possible after the petition is filed, but not later than the next day that the court is in session after the petition is filed. The court, for good cause shown at the ex parte hearing, may enter any temporary orders, with or without bond, that the court finds necessary for the safety and protection of the person to be protected by the order. Immediate and present danger to the person to be protected by the protection order 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 person to be protected by the protection order with bodily harm or in which the respondent previously has been convicted of or pleaded guilty to a violation of section 2903.211 of the Revised Code against the person to be protected by the protection order.

(2)(a) If the court, after an ex parte hearing, issues a protection order described in division (E) of this section, the court shall schedule a full hearing for a date that is within ten court days after the ex parte hearing. The court shall give the respondent notice of, and an opportunity to be heard at, the full hearing. The court shall hold the full hearing on the date



scheduled under this division unless the court grants a  
continuance of the hearing in accordance with this division. Under  
any of the following circumstances or for any of the following  
reasons, the court may grant a continuance of the full hearing to  
a reasonable time determined by the court:

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

(ii) The parties consent to the continuance.

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

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

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

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

(E)(1) After an ex parte or full hearing, the court may issue  
any protection order, with or without bond, that contains terms  
designed to ensure the safety and protection of the person to be  
protected by the protection order, including, but not limited to,  
a requirement that the respondent refrain from entering the  
residence, school, business, or place of employment of the  
petitioner or family or household member. If the court includes a  
requirement that the respondent refrain from entering the

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  
time that it received the order.

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

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

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

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

(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 by a court  
of another state, no court or unit of state or local government

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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 380  
upon conviction of a violation of that section, and a person 381  
convicted of a violation of that section shall not subsequently be 382  
punished for contempt of court arising out of the same activity. 383

(L) In all stages of a proceeding under this section, a 384  
petitioner may be accompanied by a victim advocate. 385

(M)(1) A petitioner who obtains a protection order under this 386  
section or a protection order under section 2903.213 of the 387  
Revised Code may provide notice of the issuance or approval of the 388  
order to the judicial and law enforcement officials in any county 389  
other than the county in which the order is issued by registering 390  
that order in the other county pursuant to division (M)(2) of this 391  
section and filing a copy of the registered order with a law 392  
enforcement agency in the other county in accordance with that 393  
division. A person who obtains a protection order issued by a 394  
court of another state may provide notice of the issuance of the 395

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  
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~~

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~~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.

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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.

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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

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the United States or of any other state, or a municipal ordinance 458  
of a municipal corporation located in any other state that is 459  
substantially similar to one of those sections involving a person 460  
who was a family or household member at the time of the violation, 461  
a violation of division (A) or (B) of this section is a felony of 462  
the fifth degree, and a violation of division (C) of this section 463  
is a misdemeanor of the third degree. 464

(E) Notwithstanding any provision of law to the contrary, no 465  
court or unit of state or local government shall charge any fee, 466  
cost, deposit, or money in connection with the filing of charges 467  
against a person alleging that the person violated this section or 468  
a municipal ordinance substantially similar to this section or in 469  
connection with the prosecution of any charges so filed. 470

(F) As used in this section and sections 2919.251 and 2919.26 471  
of the Revised Code: 472

(1) "Family or household member" means any of the following: 473

(a) Any of the following who is residing or has resided with 474  
the offender: 475

(i) A spouse, a person living as a spouse, or a former spouse 476  
of the offender; 477

(ii) A parent or a child of the offender, or another person 478  
related by consanguinity or affinity to the offender; 479

(iii) A parent or a child of a spouse, person living as a 480  
spouse, or former spouse of the offender, or another person 481  
related by consanguinity or affinity to a spouse, person living as 482  
a spouse, or former spouse of the offender. 483

(b) The natural parent of any child of whom the offender is 484  
the other natural parent or is the putative other natural parent. 485

(2) "Person living as a spouse" means a person who is living 486  
or has lived with the offender in a common law marital 487



relationship, who otherwise is cohabiting with the offender, or 488  
who otherwise has cohabited with the offender within five years 489  
prior to the date of the alleged commission of the act in 490  
question. 491

**Sec. 2919.26.** (A)(1) Upon the filing of a complaint that 492  
alleges a violation of section 2919.25 of the Revised Code, a 493  
violation of a municipal ordinance substantially similar to that 494  
section, a violation of section 2903.11, 2903.12, 2903.13, 495  
2903.211, or 2911.211 of the Revised Code that involves a person 496  
who was a family or household member at the time of the violation, 497  
or a violation of a municipal ordinance that is substantially 498  
similar to section 2903.13, 2903.211, or 2911.211 of the Revised 499  
Code that involves a person who was a family or household member 500  
at the time of the violation, the complainant, the alleged victim, 501  
or a family or household member of an alleged victim may file, or, 502  
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



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

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Signature of person 569

(or signature of the arresting officer who filed the motion on 570  
behalf of the alleged victim) 571

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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  
the order is unable to appear and if the court finds that the  
failure to appear is because of the person's hospitalization or  
medical condition resulting from the offense alleged in the  
complaint, another person who is able to provide the court with  
the information it requests may appear in lieu of the person who  
requested the order. If the court finds that the safety and  
protection of the complainant, alleged victim, or any other family  
or household member of the alleged offender may be impaired by the  
continued presence of the alleged offender, the court may issue a  
temporary protection order, as a pretrial condition of release,  
that contains terms designed to ensure the safety and protection  
of the complainant, alleged victim, or the family or household  
member, including a requirement that the alleged offender refrain  
from entering the residence, school, business, or place of  
employment of the complainant, alleged victim, or the family or  
household member.

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(2)(a) If the court issues a temporary protection order that  
includes a requirement that the alleged offender refrain from  
entering the residence, school, business, or place of employment  
of the complainant, the alleged victim, or the family or household  
member, the order shall state clearly that the order cannot be  
waived or nullified by an invitation to the alleged offender from  
the complainant, alleged victim, or 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, alleged victim, or 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

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to that section, or with contempt of court, which charge is based  
on an alleged violation of a temporary protection order issued  
under this section, did not commit the violation or was not in  
contempt of court.

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(D)(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 that is 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 court, upon its own motion, may issue a  
temporary protection order as a pretrial condition of release if  
it finds that the safety and protection of the complainant,  
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 the municipal court or county court having determined at a preliminary hearing that there is probable cause to believe that the felony has been committed and that the alleged offender committed it, as a result of the alleged offender having been indicted for the felony, or in any other manner.

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

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

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

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

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

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

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

(G)(1) A copy of any temporary protection order that is issued under this section shall be issued by the court to the complainant, to the alleged victim, to the person who requested the order, to the 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 temporary 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)(4) 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.

(2) All law enforcement agencies shall establish and maintain an index for the temporary 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 receipt of the order by the agency.

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(3) A complainant, alleged victim, or other person who obtains a temporary protection order under this section may provide notice of the issuance of the temporary protection 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 in accordance with division (N) of section 3113.31 of the Revised Code and filing a copy of the registered protection order with a law enforcement agency in the other county in accordance with that division.

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

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(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.

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(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.

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(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

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order unless both of the following apply:

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(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.

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(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.

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(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.

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(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.

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**Sec. 2919.27.** (A) No person shall recklessly violate the

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| terms of any of the following:  | 772   |
| (1) A protection order issued or consent agreement approved pursuant to section 2919.26 or 3113.31 of the Revised Code;   | 773<br>774                                    |
| (2) A protection order issued pursuant to section 2903.213 or 2903.214 of the Revised Code;   | 775<br>776                                    |
| (3) A protection order issued by a court of another state.  | 777   |
| (B) Whoever violates this section is guilty of violating a protection order.  | 778<br>779                                    |
| (1) If the offense involves a violation of division (A)(1) or (3) of this section, one of the following applies:  | 780<br>781                                    |
| (a) Except as otherwise provided in division (B)(1)(b) of this section, violating a protection order is a misdemeanor of the first degree.  | 782<br>783<br>784                             |
| (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. | 785<br>786<br>787<br>788<br>789<br>790<br>791 |
| (2) If the offense involves a violation of division (A)(2) of this section, one of the following applies:   | 792<br>793                                    |
| (a) Except as otherwise provided in division (B)(2)(b) of this section, violating a protection order is a misdemeanor of the first degree.  | 794<br>795<br>796                             |
| (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,  | 797<br>798<br>799<br>800<br>801               |

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  
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.

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**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.

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## As Reported by the House Civil and Commercial Law Committee

(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.

(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.

(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.

(E) Notwithstanding any provision of law to the contrary and

regardless of whether a protection order is issued or a consent 865  
agreement is approved by a court of another county or a court of 866  
another state, no court or unit of state or local government shall 867  
charge any fee, cost, deposit, or money in connection with the 868  
filing, issuance, registration, or service of a protection order 869  
or consent agreement or for obtaining a certified copy of a 870  
protection order or consent agreement, including a protection 871  
order issued by a court of another state. 872

**Sec. 3113.31.** (A) As used in this section: 873

(1) "Domestic violence" means the occurrence of one or more 874  
of the following acts against a family or household member: 875

(a) Attempting to cause or recklessly causing bodily injury; 876

(b) Placing another person by the threat of force in fear of 877  
imminent serious physical harm or committing a violation of 878  
section 2903.211 or 2911.211 of the Revised Code; 879

(c) Committing any act with respect to a child that would 880  
result in the child being an abused child, as defined in section 881  
2151.031 of the Revised Code. 882

(2) "Court" means the domestic relations division of the 883  
court of common pleas in counties that have a domestic relations 884  
division, and the court of common pleas in counties that do not 885  
have a domestic relations division. 886

(3) "Family or household member" means any of the following: 887

(a) Any of the following who is residing with or has resided 888  
with the respondent: 889

(i) A spouse, a person living as a spouse, or a former spouse 890  
of the respondent; 891

(ii) A parent or a child of the respondent, or another person 892  
related by consanguinity or affinity to the respondent; 893

(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. 925

(D)(1) If a person who files a petition pursuant to this 926  
section requests an ex parte order, the court shall hold an ex 927  
parte hearing on the same day that the petition is filed. The 928  
court, for good cause shown at the ex parte hearing, may enter any 929  
temporary orders, with or without bond, including, but not limited 930  
to, an order described in division (E)(1)(a), (b), or (c) of this 931  
section, that the court finds necessary to protect the family or 932  
household member from domestic violence. Immediate and present 933  
danger of domestic violence to the family or household member 934  
constitutes good cause for purposes of this section. Immediate and 935  
present danger includes, but is not limited to, situations in 936  
which the respondent has threatened the family or household member 937  
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  
petition filed pursuant to this section and notice of the full  
hearing. 957  
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(ii) The parties consent to the continuance. 960

(iii) The continuance is needed to allow a party to obtain  
counsel. 961  
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(iv) The continuance is needed for other good cause. 963

(b) An ex parte order issued under this section does not  
expire because of a failure to serve notice of the full hearing  
upon the respondent before the date set for the full hearing under  
division (D)(2)(a) of this section or because the court grants a  
continuance under that division. 964  
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(3) If a person who files a petition pursuant to this section  
does not request an ex parte order, or if a person requests an ex  
parte order but the court does not issue an ex parte order after  
an ex parte hearing, the court shall proceed as in a normal civil  
action and grant a full hearing on the matter. 969  
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(E)(1) After an ex parte or full hearing, the court may grant  
any protection order, with or without bond, or approve any consent  
agreement to bring about a cessation of domestic violence against  
the family or household members. The order or agreement may: 974  
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(a) Direct the respondent to refrain from abusing the family  
or household members; 979  
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(b) Grant possession of the residence or household to the  
petitioner or other family or household member, to the exclusion  
of the respondent, by evicting the respondent, when the residence  
or household is owned or leased solely by the petitioner or other  
family or household member, or by ordering the respondent to  
vacate the premises, when the residence or household is jointly 981  
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| 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  
petitioner or one or more of the family or household members, the  
court may include in a protection order that it issues a  
prohibition against the respondent returning to the residence or  
household. If it includes a prohibition against the respondent  
returning to the residence or household in the order, it also  
shall include in the order provisions of the type described in  
division (E)(7) of this section. This division does not preclude  
the court from including in a protection order or consent  
agreement, in circumstances other than those described in this  
division, 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, and, if the court  
includes any requirement of that type in an order or agreement,  
the court also shall include in the order provisions of the type  
described in division (E)(7) of this section.

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

(b) Subject to the limitation on the duration of an order or  
agreement set forth in division (E)(3)(a) of this section, any  
order under division (E)(1)(d) of this section shall terminate on  
the date that a court in an action for divorce, dissolution of  
marriage, or legal separation brought by the petitioner or  
respondent issues an order allocating parental rights and  
responsibilities for the care of children or on the date that a  
juvenile court in an action brought by the petitioner or  
respondent issues an order awarding legal custody of minor  
children. Subject to the limitation on the duration of an order or  
agreement set forth in division (E)(3)(a) of this section, any

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 1064  
order in accordance with this section. 1065

(b) The petitioner is served notice of the respondent's 1066  
petition at least forty-eight hours before the court holds a 1067  
hearing with respect to the respondent's petition, or the 1068  
petitioner waives the right to receive this notice. 1069

(c) If the petitioner has requested an ex parte order 1070  
pursuant to division (D) of this section, the court does not delay 1071  
any hearing required by that division beyond the time specified in 1072  
that division in order to consolidate the hearing with a hearing 1073  
on the petition filed by the respondent. 1074

(d) After a full hearing at which the respondent presents 1075  
evidence in support of the request for a protection order and the 1076  
petitioner is afforded an opportunity to defend against that 1077  
evidence, the court determines that the petitioner has committed 1078  
an act of domestic violence or has violated a temporary protection 1079  
order issued pursuant to section 2919.26 of the Revised Code, that 1080

both the petitioner and the respondent acted primarily as 1081  
aggressors, and that neither the petitioner nor the respondent 1082  
acted primarily in self-defense. 1083

(5) No protection order issued or consent agreement approved 1084  
under this section shall in any manner affect title to any real 1085  
property. 1086

(6)(a) If a petitioner, or the child of a petitioner, who 1087  
obtains a protection order or consent agreement pursuant to 1088  
division (E)(1) of this section or a temporary protection order 1089  
pursuant to section 2919.26 of the Revised Code and is the subject 1090  
of a parenting time order issued pursuant to section 3109.051 or 1091  
3109.12 of the Revised Code or a visitation or companionship order 1092  
issued pursuant to section 3109.051, 3109.11, or 3109.12 of the 1093  
Revised Code or division (E)(1)(d) of this section granting 1094  
parenting time rights to the respondent, the court may require the 1095  
public children services agency of the county in which the court 1096  
is located to provide supervision of the respondent's exercise of 1097  
parenting time or visitation or companionship rights with respect 1098  
to the child for a period not to exceed nine months, if the court 1099  
makes the following findings of fact: 1100

(i) The child is in danger from the respondent; 1101

(ii) No other person or agency is available to provide the 1102  
supervision. 1103

(b) A court that requires an agency to provide supervision 1104  
pursuant to division (E)(6)(a) of this section shall order the 1105  
respondent to reimburse the agency for the cost of providing the 1106  
supervision, if it determines that the respondent has sufficient 1107  
income or resources to pay that cost. 1108

(7)(a) If a protection order issued or consent agreement 1109  
approved under this section includes a requirement that the 1110  
respondent be evicted from or vacate the residence or household or 1111

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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  
violation or was not in contempt of court.

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

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

(3) Regardless of whether the petitioner has registered the  
order or agreement in the county in which the officer's agency has  
jurisdiction pursuant to division (N) of this section, any officer

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 petitioner may be accompanied by a victim advocate.

(N)(1) A petitioner who obtains a protection order or consent agreement under this section or a temporary protection order under section 2919.26 of the Revised Code may provide notice of the issuance or approval of the order or agreement to the judicial and law enforcement officials in any county other than the county in which the order is issued or the agreement is approved by registering that order or agreement in the other county pursuant to division (N)(2) of this section and filing a copy of the registered order or registered agreement 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.

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

(a) The petitioner shall obtain a certified copy of the order or agreement from the clerk of the court that issued the order or approved the agreement 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 or agreement is to be registered.

(b) Upon accepting the certified copy of the order or agreement for registration, the clerk of the court of common pleas, municipal court, or county court shall place an endorsement of registration on the order or agreement and give the petitioner



a copy of the order or agreement that bears that proof of registration. 1239  
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(3) The clerk of each court of common pleas, the clerk of each municipal court, and the clerk of each county court shall maintain a registry of certified copies of temporary protection orders, protection orders, or consent agreements that have been issued or approved by courts in other counties and that have been registered with the clerk. 1241  
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~~(4) If a petitioner who obtains a protection order or consent agreement under this section or a temporary protection order under section 2919.26 of the Revised Code wishes to register the order or agreement in any county other than the county in which the order was issued or the agreement was approved, pursuant to divisions (N)(1) to (3) of this section, and if the petitioner is indigent, both of the following apply:~~ 1247  
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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;~~ 1254  
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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.~~ 1260  
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**Section 2.** That existing sections 2903.213, 2903.214, 1269

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|---|------|
| 2919.25, 2919.26, 2919.27, 2919.272, and 3113.31 of the Revised | 1270 |
| Code are hereby repealed.                                       | 1271 |