

As Introduced

124th General Assembly
Regular Session
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S. B. No. 3

SENATORS Hottinger, Johnson, R. L. Gardner, Spada, Harris, Armbruster,
Jordan

A BILL

To amend sections 109.42, 2151.355, 2950.01, 2950.02, 1
2950.03, 2950.04, 2950.05, 2950.06, 2950.07, 2
2950.09, 2950.10, 2950.11, 2950.12, 2950.13, 3
2950.14, and 2950.99 and to enact section 2950.081 4
of the Revised Code to apply the Sex Offender 5
Registration Law to persons adjudicated delinquent 6
children for committing sexually oriented offenses 7
and to clarify that sex offender registration 8
information held by a county sheriff is a public 9
record. 10

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

Section 1. That sections 109.42, 2151.355, 2950.01, 2950.02, 11
2950.03, 2950.04, 2950.05, 2950.06, 2950.07, 2950.09, 2950.10, 12
2950.11, 2950.12, 2950.13, 2950.14, and 2950.99 be amended and 13
section 2950.081 of the Revised Code be enacted to read as 14
follows: 15

Sec. 109.42. (A) The attorney general shall prepare and have 16
printed a pamphlet that contains a compilation of all statutes 17
relative to victim's rights in which the attorney general lists 18
and explains the statutes in the form of a victim's bill of 19

rights. The attorney general shall distribute the pamphlet to all 20
sheriffs, marshals, municipal corporation and township police 21
departments, constables, and other law enforcement agencies, to 22
all prosecuting attorneys, city directors of law, village 23
solicitors, and other similar chief legal officers of municipal 24
corporations, and to organizations that represent or provide 25
services for victims of crime. The victim's bill of rights set 26
forth in the pamphlet shall contain a description of all of the 27
rights of victims that are provided for in Chapter 2930. or in any 28
other section of the Revised Code and shall include, but not be 29
limited to, all of the following: 30

(1) The right of a victim or a victim's representative to 31
attend a proceeding before a grand jury, in a juvenile case, or in 32
a criminal case pursuant to a subpoena without being discharged 33
from the victim's or representative's employment, having the 34
victim's or representative's employment terminated, having the 35
victim's or representative's pay decreased or withheld, or 36
otherwise being punished, penalized, or threatened as a result of 37
time lost from regular employment because of the victim's or 38
representative's attendance at the proceeding pursuant to the 39
subpoena, as set forth in section 2151.211, 2930.18, 2939.121, or 40
2945.451 of the Revised Code; 41

(2) The potential availability pursuant to section 2151.411 42
of the Revised Code of a forfeited recognizance to pay damages 43
caused by a child when the delinquency of the child or child's 44
violation of probation is found to be proximately caused by the 45
failure of the child's parent or guardian to subject the child to 46
reasonable parental authority or to faithfully discharge the 47
conditions of probation; 48

(3) The availability of awards of reparations pursuant to 49
sections 2743.51 to 2743.72 of the Revised Code for injuries 50
caused by criminal offenses; 51

(4) The right of the victim in certain criminal or juvenile cases or a victim's representative to receive, pursuant to section 2930.06 of the Revised Code, notice of the date, time, and place of the trial or delinquency proceeding in the case or, if there will not be a trial or delinquency proceeding, information from the prosecutor, as defined in section 2930.01 of the Revised Code, regarding the disposition of the case;

(5) The right of the victim in certain criminal or juvenile cases or a victim's representative to receive, pursuant to section 2930.04, 2930.05, or 2930.06 of the Revised Code, notice of the name of the person charged with the violation, the case or docket number assigned to the charge, and a telephone number or numbers that can be called to obtain information about the disposition of the case;

(6) The right of the victim in certain criminal or juvenile cases or of the victim's representative pursuant to section 2930.13 or 2930.14 of the Revised Code, subject to any reasonable terms set by the court as authorized under section 2930.14 of the Revised Code, to make a statement about the victimization and, if applicable, a statement relative to the sentencing or disposition of the offender;

(7) The opportunity to obtain a court order, pursuant to section 2945.04 of the Revised Code, to prevent or stop the commission of the offense of intimidation of a crime victim or witness or an offense against the person or property of the complainant, or of the complainant's ward or child;

(8) The right of the victim in certain criminal or juvenile cases or a victim's representative pursuant to sections 2151.38, 2929.20, 2930.10, 2930.16, and 2930.17 of the Revised Code to receive notice of a pending motion for judicial release or early release of the person who committed the offense against the victim, to make an oral or written statement at the court hearing

on the motion, and to be notified of the court's decision on the motion; 84
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(9) The right of the victim in certain criminal or juvenile cases or a victim's representative pursuant to section 2930.16, 2967.12, 2967.26, or 5139.56 of the Revised Code to receive notice of any pending commutation, pardon, parole, transitional control, discharge, other form of authorized release, post-release control, or supervised release for the person who committed the offense against the victim or any application for release of that person and to send a written statement relative to the victimization and the pending action to the adult parole authority or the release authority of the department of youth services; 86
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(10) The right of the victim to bring a civil action pursuant to sections 2969.01 to 2969.06 of the Revised Code to obtain money from the offender's profit fund; 96
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(11) The right, pursuant to section 3109.09 of the Revised Code, to maintain a civil action to recover compensatory damages not exceeding ten thousand dollars and costs from the parent of a minor who willfully damages property through the commission of an act that would be a theft offense, as defined in section 2913.01 of the Revised Code, if committed by an adult; 99
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(12) The right, pursuant to section 3109.10 of the Revised Code, to maintain a civil action to recover compensatory damages not exceeding ten thousand dollars and costs from the parent of a minor who willfully and maliciously assaults a person; 105
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(13) The possibility of receiving restitution from an offender or a delinquent child pursuant to section 2151.355, 2929.18, or 2929.21 of the Revised Code; 109
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(14) The right of the victim in certain criminal or juvenile cases or a victim's representative, pursuant to section 2930.16 of the Revised Code, to receive notice of the escape from confinement 112
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or custody of the person who committed the offense, to receive 115
that notice from the custodial agency of the person at the 116
victim's last address or telephone number provided to the 117
custodial agency, and to receive notice that, if either the 118
victim's address or telephone number changes, it is in the 119
victim's interest to provide the new address or telephone number 120
to the custodial agency; 121

(15) The right of a victim of domestic violence to seek the 122
issuance of a temporary protection order pursuant to section 123
2919.26 of the Revised Code, to seek the issuance of a civil 124
protection order pursuant to section 3113.31 of the Revised Code, 125
and to be accompanied by a victim advocate during court 126
proceedings; 127

(16) The right of a victim of a sexually oriented offense 128
that is committed by a person who is adjudicated as being a sexual 129
predator or, in certain cases, by a person who is determined to be 130
a habitual sex offender to receive, pursuant to section 2950.10 of 131
the Revised Code, notice that the ~~offender~~ person has registered 132
with a sheriff under section 2950.04 or 2950.05 of the Revised 133
Code and notice of the ~~offender's~~ person's name and residence 134
address or addresses, and a summary of the manner in which the 135
victim must make a request to receive the notice. As used in this 136
division, "sexually oriented offense," "adjudicated as being a 137
sexual predator," and "habitual sex offender" have the same 138
meanings as in section 2950.01 of the Revised Code. 139

(17) The right of a victim of certain sexually violent 140
offenses committed by a sexually violent predator who is sentenced 141
to a prison term pursuant to division (A)(3) of section 2971.03 of 142
the Revised Code to receive, pursuant to section 2930.16 of the 143
Revised Code, notice of a hearing to determine whether to modify 144
the requirement that the offender serve the entire prison term in 145
a state correctional facility, whether to continue, revise, or 146

revoke any existing modification of that requirement, or whether
to terminate the prison term. As used in this division, "sexually
violent offense" and "sexually violent predator" have the same
meanings as in section 2971.01 of the Revised Code.

(B)(1)(a) Subject to division (B)(1)(c) of this section, a
prosecuting attorney, assistant prosecuting attorney, city
director of law, assistant director of law, village solicitor,
assistant village solicitor, or similar chief legal officer of a
municipal corporation or an assistant of any of those officers who
prosecutes an offense committed in this state, upon first contact
with the victim of the offense, the victim's family, or the
victim's dependents, shall give the victim, the victim's family,
or the victim's dependents a copy of the pamphlet prepared
pursuant to division (A) of this section and explain, upon
request, the information in the pamphlet to the victim, the
victim's family, or the victim's dependents.

(b) Subject to division (B)(1)(c) of this section, a law
enforcement agency that investigates an offense or delinquent act
committed in this state shall give the victim of the offense or
delinquent act, the victim's family, or the victim's dependents a
copy of the pamphlet prepared pursuant to division (A) of this
section at one of the following times:

(i) Upon first contact with the victim, the victim's family,
or the victim's dependents;

(ii) If the offense or delinquent act is an offense of
violence, if the circumstances of the offense or delinquent act
and the condition of the victim, the victim's family, or the
victim's dependents indicate that the victim, the victim's family,
or the victim's dependents will not be able to understand the
significance of the pamphlet upon first contact with the agency,
and if the agency anticipates that it will have an additional
contact with the victim, the victim's family, or the victim's

dependents, upon the agency's second contact with the victim, the 179
victim's family, or the victim's dependents. 180

If the agency does not give the victim, the victim's family, 181
or the victim's dependents a copy of the pamphlet upon first 182
contact with them and does not have a second contact with the 183
victim, the victim's family, or the victim's dependents, the 184
agency shall mail a copy of the pamphlet to the victim, the 185
victim's family, or the victim's dependents at their last known 186
address. 187

(c) In complying on and after December 9, 1994, with the 188
duties imposed by division (B)(1)(a) or (b) of this section, an 189
official or a law enforcement agency shall use copies of the 190
pamphlet that are in the official's or agency's possession on 191
December 9, 1994, until the official or agency has distributed all 192
of those copies. After the official or agency has distributed all 193
of those copies, the official or agency shall use only copies of 194
the pamphlet that contain at least the information described in 195
division (A)(1) to (17) of this section. 196

(2) The failure of a law enforcement agency or of a 197
prosecuting attorney, assistant prosecuting attorney, city 198
director of law, assistant city director of law, village 199
solicitor, assistant village solicitor, or similar chief legal 200
officer of a municipal corporation or an assistant to any of those 201
officers to give, as required by division (B)(1) of this section, 202
the victim of an offense or delinquent act, the victim's family, 203
or the victim's dependents a copy of the pamphlet prepared 204
pursuant to division (A) of this section does not give the victim, 205
the victim's family, the victim's dependents, or a victim's 206
representative any rights under section 122.95, 2743.51 to 207
2743.72, 2945.04, 2967.12, 2969.01 to 2969.06, 3109.09, or 3109.10 208
of the Revised Code or under any other provision of the Revised 209
Code and does not affect any right under those sections. 210

(3) A law enforcement agency, a prosecuting attorney or 211
assistant prosecuting attorney, or a city director of law, 212
assistant city director of law, village solicitor, assistant 213
village solicitor, or similar chief legal officer of a municipal 214
corporation that distributes a copy of the pamphlet prepared 215
pursuant to division (A) of this section shall not be required to 216
distribute a copy of an information card or other printed material 217
provided by the clerk of the court of claims pursuant to section 218
2743.71 of the Revised Code. 219

(C) The cost of printing and distributing the pamphlet 220
prepared pursuant to division (A) of this section shall be paid 221
out of the reparations fund, created pursuant to section 2743.191 222
of the Revised Code, in accordance with division (D) of that 223
section. 224

(D) As used in this section: 225

(1) "Victim's representative" has the same meaning as in 226
section 2930.01 of the Revised Code; 227

(2) "Victim advocate" has the same meaning as in section 228
2919.26 of the Revised Code. 229

Sec. 2151.355. (A) If a child is adjudicated a delinquent 230
child, the court may make any of the following orders of 231
disposition: 232

(1) Any order that is authorized by section 2151.353 of the 233
Revised Code; 234

(2) Place the child on probation under any conditions that 235
the court prescribes. If the child is adjudicated a delinquent 236
child for violating section 2909.05, 2909.06, or 2909.07 of the 237
Revised Code and if restitution is appropriate under the 238
circumstances of the case, the court shall require the child to 239
make restitution for the property damage caused by the child's 240

violation as a condition of the child's probation. If the child is
adjudicated a delinquent child because the child violated any
other section of the Revised Code, the court may require the child
as a condition of the child's probation to make restitution for
the property damage caused by the child's violation and for the
value of the property that was the subject of the violation the
child committed if it would be a theft offense, as defined in
division (K) of section 2913.01 of the Revised Code, if committed
by an adult. The restitution may be in the form of a cash
reimbursement paid in a lump sum or in installments, the
performance of repair work to restore any damaged property to its
original condition, the performance of a reasonable amount of
labor for the victim approximately equal to the value of the
property damage caused by the child's violation or to the value of
the property that is the subject of the violation if it would be a
theft offense if committed by an adult, the performance of
community service or community work, any other form of restitution
devised by the court, or any combination of the previously
described forms of restitution.

If the child is adjudicated a delinquent child for violating
a law of this state or the United States, or an ordinance or
regulation of a political subdivision of this state, that would be
a crime if committed by an adult or for violating division (A) of
section 2923.211 of the Revised Code, the court, in addition to
all other required or permissive conditions of probation that the
court imposes upon the delinquent child pursuant to division
(A)(2) of this section, shall require the child as a condition of
the child's probation to abide by the law during the period of
probation, including, but not limited to, complying with the
provisions of Chapter 2923. of the Revised Code relating to the
possession, sale, furnishing, transfer, disposition, purchase,
acquisition, carrying, conveying, or use of, or other conduct

involving, a firearm or dangerous ordnance, as defined in section 2923.11 of the Revised Code. 273
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(3) Commit the child to the temporary custody of any school, camp, institution, or other facility operated for the care of delinquent children by the county, by a district organized under section 2151.34 or 2151.65 of the Revised Code, or by a private agency or organization, within or without the state, that is authorized and qualified to provide the care, treatment, or placement required; 275
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(4) If the child is adjudicated a delinquent child for committing an act that would be a felony of the third, fourth, or fifth degree if committed by an adult or for violating division (A) of section 2923.211 of the Revised Code, commit the child to the legal custody of the department of youth services for institutionalization for an indefinite term consisting of a minimum period of six months and a maximum period not to exceed the child's attainment of twenty-one years of age; 282
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(5)(a) If the child is adjudicated a delinquent child for violating section 2903.03, 2905.01, 2909.02, or 2911.01 or division (A) of section 2903.04 of the Revised Code or for violating any provision of section 2907.02 of the Revised Code other than division (A)(1)(b) of that section when the sexual conduct or insertion involved was consensual and when the victim of the violation of division (A)(1)(b) of that section was older than the delinquent child, was the same age as the delinquent child, or was less than three years younger than the delinquent child, commit the child to the legal custody of the department of youth services for institutionalization in a secure facility for an indefinite term consisting of a minimum period of one to three years, as prescribed by the court, and a maximum period not to exceed the child's attainment of twenty-one years of age; 290
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(b) If the child is adjudicated a delinquent child for 304

violating section 2923.02 of the Revised Code and if the violation
involves an attempt to commit a violation of section 2903.01 or
2903.02 of the Revised Code, commit the child to the legal custody
of the department of youth services for institutionalization in a
secure facility for an indefinite term consisting of a minimum
period of six to seven years, as prescribed by the court, and a
maximum period not to exceed the child's attainment of twenty-one
years of age;

(c) If the child is adjudicated a delinquent child for
committing an act that is not described in division (A)(5)(a) or
(b) of this section and that would be a felony of the first or
second degree if committed by an adult, commit the child to the
legal custody of the department of youth services for
institutionalization in a secure facility for an indefinite term
consisting of a minimum period of one year and a maximum period
not to exceed the child's attainment of twenty-one years of age.

(6) If the child is adjudicated a delinquent child for
committing a violation of section 2903.01 or 2903.02 of the
Revised Code, commit the child to the legal custody of the
department of youth services for institutionalization in a secure
facility until the child's attainment of twenty-one years of age;

(7)(a) If the child is adjudicated a delinquent child for
committing an act, other than a violation of section 2923.12 of
the Revised Code, that would be a felony if committed by an adult
and is committed to the legal custody of the department of youth
services pursuant to division (A)(4), (5), or (6) of this section
and if the court determines that the child, if the child was an
adult, would be guilty of a specification of the type set forth in
section 2941.141, 2941.144, 2941.145, or 2941.146 of the Revised
Code in relation to the act for which the child was adjudicated a
delinquent child, commit the child to the legal custody of the
department of youth services for institutionalization in a secure

facility for the following period of time, subject to division 337
(A)(7)(c) of this section: 338

(i) If the child would be guilty of a specification of the 339
type set forth in section 2941.141 of the Revised Code, a period 340
of one year; 341

(ii) If the child would be guilty of a specification of the 342
type set forth in section 2941.144, 2941.145, or 2941.146 of the 343
Revised Code, a period of three years. 344

(b) If the child is adjudicated a delinquent child for 345
committing a category one offense or a category two offense and is 346
committed to the legal custody of the department of youth services 347
pursuant to division (A)(5) or (6) of this section and if the 348
court determines that the child, if the child was an adult, would 349
be guilty of a specification of the type set forth in section 350
2941.142 of the Revised Code in relation to the act for which the 351
child was adjudicated a delinquent child, the court shall commit 352
the child to the legal custody of the department of youth services 353
for institutionalization in a secure facility for a period of not 354
less than one year or more than three years, subject to division 355
(A)(7)(c) of this section. 356

(c) The court shall not commit a child to the legal custody 357
of the department of youth services pursuant to division (A)(7)(a) 358
or (b) of this section for a period of time that exceeds three 359
years. The period of commitment imposed pursuant to division 360
(A)(7)(a) or (b) of this section shall be in addition to, and 361
shall be served consecutively with and prior to, a period of 362
commitment ordered pursuant to division (A)(4), (5), or (6) of 363
this section, provided that the total of all the periods of 364
commitment shall not exceed the child's attainment of twenty-one 365
years of age. 366

(8) Impose a fine and costs in accordance with the schedule 367

set forth in section 2151.3512 of the Revised Code; 368

(9) Require the child to make restitution for all or part of 369
the property damage caused by the child's delinquent act and for 370
all or part of the value of the property that was the subject of 371
any delinquent act the child committed that would be a theft 372
offense, as defined in division (K) of section 2913.01 of the 373
Revised Code, if committed by an adult. If the court determines 374
that the victim of the child's delinquent act was sixty-five years 375
of age or older or permanently and totally disabled at the time of 376
the commission of the act, the court, regardless of whether or not 377
the child knew the age of the victim, shall consider that fact in 378
favor of imposing restitution, but that fact shall not control the 379
decision of the court. The restitution may be in the form of a 380
cash reimbursement paid in a lump sum or in installments, the 381
performance of repair work to restore any damaged property to its 382
original condition, the performance of a reasonable amount of 383
labor for the victim, the performance of community service or 384
community work, any other form of restitution devised by the 385
court, or any combination of the previously described forms of 386
restitution. 387

(10) Subject to division (D) of this section, suspend or 388
revoke the driver's license, probationary driver's license, or 389
temporary instruction permit issued to the child or suspend or 390
revoke the registration of all motor vehicles registered in the 391
name of the child. A child whose license or permit is so suspended 392
or revoked is ineligible for issuance of a license or permit 393
during the period of suspension or revocation. At the end of the 394
period of suspension or revocation, the child shall not be 395
reissued a license or permit until the child has paid any 396
applicable reinstatement fee and complied with all requirements 397
governing license reinstatement. 398

(11) If the child is adjudicated a delinquent child for 399

committing an act that, if committed by an adult, would be a
criminal offense that would qualify the adult as an eligible
offender pursuant to division (A)(3) of section 2929.23 of the
Revised Code, impose a period of electronically monitored house
detention in accordance with division (J) of this section that
does not exceed the maximum sentence of imprisonment that could be
imposed upon an adult who commits the same act;

(12) Impose a period of day reporting in which the child is
required each day to report to and leave a center or other
approved reporting location at specified times in order to
participate in work, education or training, treatment, and other
approved programs at the center or outside the center;

(13) Impose a period of electronically monitored house arrest
in accordance with division (J) of this section;

(14) Impose a period of community service of up to five
hundred hours;

(15) Impose a period in an alcohol or drug treatment program
with a level of security for the child as determined necessary by
the court;

(16) Impose a period of intensive supervision, in which the
child is required to maintain frequent contact with a person
appointed by the court to supervise the child while the child is
seeking or maintaining employment and participating in training,
education, and treatment programs as the order of disposition;

(17) Impose a period of basic supervision, in which the child
is required to maintain contact with a person appointed to
supervise the child in accordance with sanctions imposed by the
court;

(18) Impose a period of drug and alcohol use monitoring;

(19) Impose a period in which the court orders the child to

observe a curfew that may involve daytime or evening hours; 430

(20) Require the child to obtain a high school diploma, a 431
certificate of high school equivalence, or employment; 432

(21) If the court obtains the assent of the victim of the 433
criminal act committed by the child, require the child to 434
participate in a reconciliation or mediation program that includes 435
a meeting in which the child and the victim may discuss the 436
criminal act, discuss restitution, and consider other sanctions 437
for the criminal act; 438

(22) Commit the child to the temporary or permanent custody 439
of the court; 440

(23) Require the child to not be absent without legitimate 441
excuse from the public school the child is supposed to attend for 442
five or more consecutive days, seven or more school days in one 443
school month, or twelve or more school days in a school year; 444

(24)(a) If a child is adjudicated a delinquent child for 445
being a chronic truant or an habitual truant who previously has 446
been adjudicated an unruly child for being an habitual truant, do 447
either or both of the following: 448

(i) Require the child to participate in a truancy prevention 449
mediation program; 450

(ii) Make any order of disposition as authorized by this 451
section, except that the court shall not commit the child to a 452
facility described in division (A)(3) of this section unless the 453
court determines that the child violated a lawful court order made 454
pursuant to division (C)(1)(e) of section 2151.354 of the Revised 455
Code or division (A)(23) of this section. 456

(b) If a child is adjudicated a delinquent child for being a 457
chronic truant or an habitual truant who previously has been 458
adjudicated an unruly child for being an habitual truant and the 459

court determines that the parent, guardian, or other person having
care of the child has failed to cause the child's attendance at
school in violation of section 3321.38 of the Revised Code, do
either or both of the following:

(i) Require the parent, guardian, or other person having care
of the child to participate in a truancy prevention mediation
program;

(ii) Require the parent, guardian, or other person having
care of the child to participate in any community service program,
preferably a community service program that requires the
involvement of the parent, guardian, or other person having care
of the child in the school attended by the child.

(25) Make any further disposition that the court finds
proper, except that the child shall not be placed in any state
correctional institution, county, multicounty, or municipal jail
or workhouse, or other place in which an adult convicted of a
crime, under arrest, or charged with a crime is held.

(B)(1) If a child is adjudicated a delinquent child for
violating section 2923.32 of the Revised Code, the court, in
addition to any order of disposition it makes for the child under
division (A) of this section, shall enter an order of criminal
forfeiture against the child in accordance with divisions (B)(3),
(4), (5), and (6) and (C) to (F) of section 2923.32 of the Revised
Code.

(2) If a child is adjudicated a delinquent child for being a
chronic truant or an habitual truant who previously has been
adjudicated an unruly child for being an habitual truant and the
court determines that the parent, guardian, or other person having
care of the child has failed to cause the child's attendance at
school in violation of section 3321.38 of the Revised Code, in
addition to any order of disposition it makes under this section,

the court shall warn the parent, guardian, or other person having
care of the child that any subsequent adjudication of the child as
an unruly or delinquent child for being an habitual or chronic
truant may result in a criminal charge against the parent,
guardian, or other person having care of the child for a violation
of division (C) of section 2919.21 or section 2919.24 of the
Revised Code.

(3) If a child is adjudicated a delinquent child for
committing two or more acts that would be felonies if committed by
an adult and if the court entering the delinquent child
adjudication orders the commitment of the child, for two or more
of those acts, to the legal custody of the department of youth
services for institutionalization or institutionalization in a
secure facility pursuant to division (A)(4), (5), or (6) of this
section, the court may order that all of the periods of commitment
imposed under those divisions for those acts be served
consecutively in the legal custody of the department of youth
services and, if applicable, be in addition to and commence
immediately following the expiration of a period of commitment
that the court imposes pursuant to division (A)(7) of this
section. A court shall not commit a delinquent child to the legal
custody of the department of youth services under division (B)(2)
of this section for a period that exceeds the child's attainment
of twenty-one years of age.

(4) If a child is adjudicated a delinquent child for
committing a sexually oriented offense as defined in section
2950.01 of the Revised Code, in addition to any order of
disposition it makes for the child under division (A) of this
section, the court may make any determination, adjudication, or
order authorized under Chapter 2950. of the Revised Code and shall
make any determination, adjudication, or order required under that
chapter.

(C) If a child is adjudicated a delinquent child for 523
committing an act that, if committed by an adult, would be a drug 524
abuse offense, as defined in section 2925.01 of the Revised Code, 525
or for violating division (B) of section 2917.11 of the Revised 526
Code, in addition to imposing in its discretion any other order of 527
disposition authorized by this section, the court shall do both of 528
the following: 529

(1) Require the child to participate in a drug abuse or 530
alcohol abuse counseling program; 531

(2) Suspend or revoke the temporary instruction permit, 532
probationary driver's license, or driver's license issued to the 533
child for a period of time prescribed by the court or, at the 534
discretion of the court, until the child attends and 535
satisfactorily completes, a drug abuse or alcohol abuse education, 536
intervention, or treatment program specified by the court. During 537
the time the child is attending the program, the court shall 538
retain any temporary instruction permit, probationary driver's 539
license, or driver's license issued to the child, and the court 540
shall return the permit or license when the child satisfactorily 541
completes the program. 542

(D) If a child is adjudicated a delinquent child for 543
violating section 2923.122 of the Revised Code, the court, in 544
addition to any order of disposition it makes for the child under 545
division (A), (B), or (C) of this section, shall revoke the 546
temporary instruction permit and deny the child the issuance of 547
another temporary instruction permit in accordance with division 548
(F)(1)(b) of section 2923.122 of the Revised Code or shall suspend 549
the probationary driver's license, restricted license, or 550
nonresident operating privilege of the child or deny the child the 551
issuance of a probationary driver's license, restricted license, 552
or temporary instruction permit in accordance with division 553
(F)(1)(a), (c), (d), or (e) of section 2923.122 of the Revised 554

Code.

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(E)(1) At the dispositional hearing and prior to making any disposition pursuant to division (A) of this section, the court shall determine whether a victim of the delinquent act committed by the child was five years of age or younger at the time the delinquent act was committed, whether a victim of the delinquent act sustained physical harm to the victim's person during the commission of or otherwise as a result of the delinquent act, whether a victim of the delinquent act was sixty-five years of age or older or permanently and totally disabled at the time the delinquent act was committed, and whether the delinquent act would have been an offense of violence if committed by an adult. If the victim was five years of age or younger at the time the delinquent act was committed, sustained physical harm to the victim's person during the commission of or otherwise as a result of the delinquent act, or was sixty-five years of age or older or permanently and totally disabled at the time the act was committed, regardless of whether the child knew the age of the victim, and if the act would have been an offense of violence if committed by an adult, the court shall consider those facts in favor of imposing commitment under division (A)(3), (4), (5), or (6) of this section, but those facts shall not control the court's decision.

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(2) At the dispositional hearing and prior to making any disposition pursuant to division (A)(4), (5), or (6) of this section, the court shall determine whether the delinquent child previously has been adjudicated a delinquent child for a violation of a law or ordinance. If the delinquent child previously has been adjudicated a delinquent child for a violation of a law or ordinance, the court, for purposes of entering an order of disposition for the delinquent child under this section, shall consider the previous delinquent child adjudication as a

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conviction of a violation of the law or ordinance in determining
the degree of offense the current delinquent act would be had it
been committed by an adult.

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(F)(1) When a juvenile court commits a delinquent child to
the custody of the department of youth services pursuant to this
section, the court shall not designate the specific institution in
which the department is to place the child but instead shall
specify that the child is to be institutionalized or that the
institutionalization is to be in a secure facility if that is
required by division (A) of this section.

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(2) When a juvenile court commits a delinquent child to the
custody of the department of youth services, the court shall
provide the department with the child's medical records, a copy of
the report of any mental examination of the child ordered by the
court, the section or sections of the Revised Code violated by the
child and the degree of the violation, the warrant to convey the
child to the department, a copy of the court's journal entry
ordering the commitment of the child to the legal custody of the
department, a copy of the arrest record pertaining to the act for
which the child was adjudicated a delinquent child, a copy of any
victim impact statement pertaining to the act, and any other
information concerning the child that the department reasonably
requests. The court also shall complete the form for the standard
disposition investigation report that is developed and furnished
by the department of youth services pursuant to section 5139.04 of
the Revised Code and provide the department with the completed
form. The department may refuse to accept physical custody of a
delinquent child who is committed to the legal custody of the
department until the court provides to the department the
documents specified in division (F)(2) of this section. No officer
or employee of the department who refuses to accept physical
custody of a delinquent child who is committed to the legal

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custody of the department shall be subject to prosecution or
contempt of court for the refusal if the court fails to provide
the documents specified in division (F)(2) of this section at the
time the court transfers the physical custody of the child to the
department.

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(3) Within twenty working days after the department of youth
services receives physical custody of a delinquent child from a
juvenile court, the court shall provide the department with a
certified copy of the child's birth certificate or the child's
social security number, or, if the court made all reasonable
efforts to obtain the information but was unsuccessful, the court
shall provide the department with documentation of the efforts it
made to obtain the information.

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(4) When a juvenile court commits a delinquent child to the
custody of the department of youth services, the court shall give
notice to the school attended by the child of the child's
commitment by sending to that school a copy of the court's journal
entry ordering the commitment. As soon as possible after receipt
of the notice described in this division, the school shall provide
the department with the child's school transcript. However, the
department shall not refuse to accept a child committed to it, and
a child committed to it shall not be held in a county or district
detention home, because of a school's failure to provide the
school transcript that it is required to provide under division
(F)(4) of this section.

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(5) The department of youth services shall provide the court
and the school with an updated copy of the child's school
transcript and shall provide the court with a summary of the
institutional record of the child when it releases the child from
institutional care. The department also shall provide the court
with a copy of any portion of the child's institutional record
that the court specifically requests within five working days of

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the request.

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(6) When a juvenile court commits a delinquent child to the custody of the department of youth services pursuant to division (A)(4) or (5) of this section, the court shall state in the order of commitment the total number of days that the child has been held, as of the date of the issuance of the order, in detention in connection with the delinquent child complaint upon which the order of commitment is based. The department shall reduce the minimum period of institutionalization or minimum period of institutionalization in a secure facility specified in division (A)(4) or (5) of this section by both the total number of days that the child has been so held in detention as stated by the court in the order of commitment and the total number of any additional days that the child has been held in detention subsequent to the order of commitment but prior to the transfer of physical custody of the child to the department.

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(G)(1) At any hearing at which a child is adjudicated a delinquent child or as soon as possible after the hearing, the court shall notify all victims of the delinquent act, who may be entitled to a recovery under any of the following sections, of the right of the victims to recover, pursuant to section 3109.09 of the Revised Code, compensatory damages from the child's parents; of the right of the victims to recover, pursuant to section 3109.10 of the Revised Code, compensatory damages from the child's parents for willful and malicious assaults committed by the child; and of the right of the victims to recover an award of reparations pursuant to sections 2743.51 to 2743.72 of the Revised Code.

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(2) If a child is adjudicated a delinquent child for committing an act that, if committed by an adult, would be aggravated murder, murder, rape, felonious sexual penetration in violation of former section 2907.12 of the Revised Code, involuntary manslaughter, a felony of the first or second degree

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resulting in the death of or physical harm to a person, complicity 683
in or an attempt to commit any of those offenses, or an offense 684
under an existing or former law of this state that is or was 685
substantially equivalent to any of those offenses and if the court 686
in its order of disposition for that act commits the child to the 687
custody of the department of youth services, the court may make a 688
specific finding that the adjudication should be considered a 689
conviction for purposes of a determination in the future, pursuant 690
to Chapter 2929. of the Revised Code, as to whether the child is a 691
repeat violent offender as defined in section 2929.01 of the 692
Revised Code. If the court makes a specific finding as described 693
in this division, it shall include the specific finding in its 694
order of disposition and in the record in the case. 695

(H)(1) If a child is adjudicated a delinquent child for 696
committing an act that would be a felony or offense of violence if 697
committed by an adult, the court, prior to issuing an order of 698
disposition under this section, shall order the preparation of a 699
victim impact statement by the probation department of the county 700
in which the victim of the act resides, by the court's own 701
probation department, or by a victim assistance program that is 702
operated by the state, a county, a municipal corporation, or 703
another governmental entity. The court shall consider the victim 704
impact statement in determining the order of disposition to issue 705
for the child. 706

(2) Each victim impact statement shall identify the victim of 707
the act for which the child was adjudicated a delinquent child, 708
itemize any economic loss suffered by the victim as a result of 709
the act, identify any physical injury suffered by the victim as a 710
result of the act and the seriousness and permanence of the 711
injury, identify any change in the victim's personal welfare or 712
familial relationships as a result of the act and any 713
psychological impact experienced by the victim or the victim's 714

family as a result of the act, and contain any other information 715
related to the impact of the act upon the victim that the court 716
requires. 717

(3) A victim impact statement shall be kept confidential and 718
is not a public record, as defined in section 149.43 of the 719
Revised Code. However, the court may furnish copies of the 720
statement to the department of youth services pursuant to division 721
(F)(3) of this section or to both the adjudicated delinquent child 722
or the adjudicated delinquent child's counsel and the prosecuting 723
attorney. The copy of a victim impact statement furnished by the 724
court to the department pursuant to division (F)(3) of this 725
section shall be kept confidential and is not a public record, as 726
defined in section 149.43 of the Revised Code. The copies of a 727
victim impact statement that are made available to the adjudicated 728
delinquent child or the adjudicated delinquent child's counsel and 729
the prosecuting attorney pursuant to division (H)(3) of this 730
section shall be returned to the court by the person to whom they 731
were made available immediately following the imposition of an 732
order of disposition for the child under this section. 733

(I)(1) Sections 2925.41 to 2925.45 of the Revised Code apply 734
to children who are adjudicated or could be adjudicated by a 735
juvenile court to be delinquent children for an act that, if 736
committed by an adult, would be a felony drug abuse offense. 737
Subject to division (B) of section 2925.42 and division (E) of 738
section 2925.43 of the Revised Code, a delinquent child of that 739
nature loses any right to the possession of, and forfeits to the 740
state any right, title, and interest that the delinquent child may 741
have in, property as defined in section 2925.41 and further 742
described in section 2925.42 or 2925.43 of the Revised Code. 743

(2) Sections 2923.44 to 2923.47 of the Revised Code apply to 744
children who are adjudicated or could be adjudicated by a juvenile 745
court to be delinquent children for an act in violation of section 746

2923.42 of the Revised Code. Subject to division (B) of section 747
2923.44 and division (E) of section 2923.45 of the Revised Code, a 748
delinquent child of that nature loses any right to the possession 749
of, and forfeits to the state any right, title, and interest that 750
the delinquent child may have in, property as defined in section 751
2923.41 of the Revised Code and further described in section 752
2923.44 or 2923.45 of the Revised Code. 753

(J)(1) A juvenile court, pursuant to division (A)(11) of this 754
section, may impose a period of electronically monitored house 755
detention upon a child who is adjudicated a delinquent child for 756
committing an act that, if committed by an adult, would be a 757
criminal offense that would qualify the adult as an eligible 758
offender pursuant to division (A)(3) of section 2929.23 of the 759
Revised Code. The court may impose a period of electronically 760
monitored house detention in addition to or in lieu of any other 761
dispositional order imposed upon the child, except that any period 762
of electronically monitored house detention shall not extend 763
beyond the child's eighteenth birthday. If a court imposes a 764
period of electronically monitored house detention upon a child, 765
it shall require the child to wear, otherwise have attached to the 766
child's person, or otherwise be subject to monitoring by a 767
certified electronic monitoring device or to participate in the 768
operation of and monitoring by a certified electronic monitoring 769
system; to remain in the child's home or other specified premises 770
for the entire period of electronically monitored house detention 771
except when the court permits the child to leave those premises to 772
go to school or to other specified premises; to be monitored by a 773
central system that monitors the certified electronic monitoring 774
device that is attached to the child's person or that otherwise is 775
being used to monitor the child and that can monitor and determine 776
the child's location at any time or at a designated point in time 777
or to be monitored by the certified electronic monitoring system; 778

to report periodically to a person designated by the court; and, 779
in return for receiving a dispositional order of electronically 780
monitored house detention, to enter into a written contract with 781
the court agreeing to comply with all restrictions and 782
requirements imposed by the court, agreeing to pay any fee imposed 783
by the court for the costs of the electronically monitored house 784
detention imposed by the court pursuant to division (E) of section 785
2929.23 of the Revised Code, and agreeing to waive the right to 786
receive credit for any time served on electronically monitored 787
house detention toward the period of any other dispositional order 788
imposed upon the child for the act for which the dispositional 789
order of electronically monitored house detention was imposed if 790
the child violates any of the restrictions or requirements of the 791
dispositional order of electronically monitored house detention. 792
The court also may impose other reasonable restrictions and 793
requirements upon the child. 794

(2) If a child violates any of the restrictions or 795
requirements imposed upon the child as part of the child's 796
dispositional order of electronically monitored house detention, 797
the child shall not receive credit for any time served on 798
electronically monitored house detention toward any other 799
dispositional order imposed upon the child for the act for which 800
the dispositional order of electronically monitored house 801
detention was imposed. 802

(K)(1) Within ten days after completion of the adjudication, 803
the court shall give written notice of an adjudication that a 804
child is a delinquent child to the superintendent of a city, 805
local, exempted village, or joint vocational school district, and 806
to the principal of the school the child attends, if the basis of 807
the adjudication was the commission of an act that would be a 808
criminal offense if committed by an adult, if the act was 809
committed by the delinquent child when the child was fourteen 810

years of age or older, and if the act is any of the following: 811

(a) An act that would be a felony or an offense of violence 812
if committed by an adult, an act in the commission of which the 813
child used or brandished a firearm, or an act that is a violation 814
of section 2907.04, 2907.06, 2907.07, 2907.08, 2907.09, 2907.24, 815
or 2907.241 of the Revised Code and that would be a misdemeanor if 816
committed by an adult; 817

(b) A violation of section 2923.12 of the Revised Code or of 818
a substantially similar municipal ordinance that would be a 819
misdemeanor if committed by an adult and that was committed on 820
property owned or controlled by, or at an activity held under the 821
auspices of, the board of education of that school district; 822

(c) A violation of division (A) of section 2925.03 or 2925.11 823
of the Revised Code that would be a misdemeanor if committed by an 824
adult, that was committed on property owned or controlled by, or 825
at an activity held under the auspices of, the board of education 826
of that school district, and that is not a minor drug possession 827
offense; 828

(d) Complicity in any violation described in division 829
(K)(1)(a) of this section, or complicity in any violation 830
described in division (K)(1)(b) or (c) of this section that was 831
alleged to have been committed in the manner described in division 832
(K)(1)(b) or (c) of this section, and regardless of whether the 833
act of complicity was committed on property owned or controlled 834
by, or at an activity held under the auspices of, the board of 835
education of that school district. 836

(2) The notice given pursuant to division (K)(1) of this 837
section shall include the name of the child who was adjudicated to 838
be a delinquent child, the child's age at the time the child 839
committed the act that was the basis of the adjudication, and 840
identification of the violation of the law or ordinance that was 841

the basis of the adjudication. 842

(L) During the period of a delinquent child's probation 843
granted under division (A)(2) of this section, authorized 844
probation officers who are engaged within the scope of their 845
supervisory duties or responsibilities may search, with or without 846
a warrant, the person of the delinquent child, the place of 847
residence of the delinquent child, and a motor vehicle, another 848
item of tangible or intangible personal property, or other real 849
property in which the delinquent child has a right, title, or 850
interest or for which the delinquent child has the express or 851
implied permission of a person with a right, title, or interest to 852
use, occupy, or possess if the probation officers have reasonable 853
grounds to believe that the delinquent child is not abiding by the 854
law or otherwise is not complying with the conditions of the 855
delinquent child's probation. The court that places a delinquent 856
child on probation under division (A)(2) of this section shall 857
provide the delinquent child with a written notice that informs 858
the delinquent child that authorized probation officers who are 859
engaged within the scope of their supervisory duties or 860
responsibilities may conduct those types of searches during the 861
period of probation if they have reasonable grounds to believe 862
that the delinquent child is not abiding by the law or otherwise 863
is not complying with the conditions of the delinquent child's 864
probation. The court also shall provide the written notice 865
described in division (C)(2)(b) of section 2151.411 of the Revised 866
Code to each parent, guardian, or custodian of the delinquent 867
child who is described in division (C)(2)(a) of that section. 868

(M) As used in this section: 869

(1) "Certified electronic monitoring device," "certified 870
electronic monitoring system," "electronic monitoring device," and 871
"electronic monitoring system" have the same meanings as in 872
section 2929.23 of the Revised Code. 873

(2) "Electronically monitored house detention" means a period of confinement of a child in the child's home or in other premises specified by the court, during which period of confinement all of the following apply:

(a) The child wears, otherwise has attached to the child's person, or otherwise is subject to monitoring by a certified electronic monitoring device or is subject to monitoring by a certified electronic monitoring system.

(b) The child is required to remain in the child's home or other premises specified by the court for the specified period of confinement, except for periods of time during which the child is at school or at other premises as authorized by the court.

(c) The child is subject to monitoring by a central system that monitors the certified electronic monitoring device that is attached to the child's person or that otherwise is being used to monitor the child and that can monitor and determine the child's location at any time or at a designated point in time, or the child is required to participate in monitoring by a certified electronic monitoring system.

(d) The child is required by the court to report periodically to a person designated by the court.

(e) The child is subject to any other restrictions and requirements that may be imposed by the court.

(3) "Felony drug abuse offense" and "minor drug possession offense" have the same meanings as in section 2925.01 of the Revised Code.

(4) "Firearm" has the same meaning as in section 2923.11 of the Revised Code.

(5) "Sexually oriented offense" has the same meaning as in section 2950.01 of the Revised Code.

(6) "Theft offense" has the same meaning as in section 2913.01 of the Revised Code. 904
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Sec. 2950.01. As used in this chapter, unless the context clearly requires otherwise: 906
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(A) "Confinement" includes, but is not limited to, a community residential sanction imposed pursuant to section 2929.16 of the Revised Code. 908
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(B) "Habitual sex offender" means a person ~~who~~ to whom both of the following apply: 911
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(1) The person is convicted of or pleads guilty to a sexually oriented offense and who or is adjudicated a delinquent child for committing a sexually oriented offense. 913
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(2) The person previously has been convicted of or pleaded guilty to one or more sexually oriented offenses or previously has been adjudicated a delinquent child for committing one or more sexually oriented offenses. 916
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(C) "Prosecutor" has the same meaning as in section 2935.01 of the Revised Code. 920
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(D) "Sexually oriented offense" means any of the following offenses: 922
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(1) Regardless of the age of the victim of the offense, a violation of section 2907.02, 2907.03, or 2907.05 of the Revised Code; 924
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(2) Any of the following offenses involving a minor, in the circumstances specified: 927
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(a) A violation of section 2905.01, 2905.02, 2905.03, 2905.04, 2905.05, or 2907.04 of the Revised Code when the victim of the offense is under eighteen years of age; 929
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(b) A violation of section 2907.21 of the Revised Code when 932

the person who is compelled, induced, procured, encouraged,
solicited, requested, or facilitated to engage in, paid or agreed
to be paid for, or allowed to engage in the sexual activity in
question is under eighteen years of age;

(c) A violation of division (A)(1) or (3) of section 2907.321
or 2907.322 of the Revised Code;

(d) A violation of division (A)(1) or (2) of section 2907.323
of the Revised Code;

(e) A violation of division (B)(5) of section 2919.22 of the
Revised Code when the child who is involved in the offense is
under eighteen years of age.

(3) Regardless of the age of the victim of the offense, a
violation of section 2903.01, 2903.02, 2903.11, or 2905.01 of the
Revised Code, or of division (A) of section 2903.04 of the Revised
Code, that is committed with a purpose to gratify the sexual needs
or desires of the offender;

(4) A sexually violent offense;

(5) A violation of any former law of this state that was
substantially equivalent to any offense listed in division (D)(1),
(2), (3), or (4) of this section;

(6) A violation of an existing or former municipal ordinance
or law of another state or the United States, a violation under
the law applicable in a military court, or a violation under the
law applicable in an Indian tribal court that is or was
substantially equivalent to any offense listed in division (D)(1),
(2), (3), or (4) of this section;

(7) An attempt to commit, conspiracy to commit, or complicity
in committing any offense listed in division (D)(1), (2), (3),
(4), (5), or (6) of this section;

(8) An act committed by a person under eighteen years of age

that would be any offense listed in division (D)(1), (2), (3), (4), (5), (6), or (7) of this section if committed by an adult. 963
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(E) "Sexual predator" means a person who has been convicted of ~~or~~, pleaded guilty to, or was adjudicated a delinquent child for committing a sexually oriented offense and is likely to engage in the future in one or more sexually oriented offenses. 965
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(F) "Supervised release" means a release from a prison term, a term of imprisonment, or another type of confinement that satisfies either of the following conditions: 969
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(1) The release is on parole, a conditional pardon, or probation, under transitional control, or under a post-release control sanction, and it requires the person to report to or be supervised by a parole officer, probation officer, field officer, or another type of supervising officer. 972
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(2) The release is any type of release that is not described in division (F)(1) of this section and that requires the person to report to or be supervised by a probation officer, a parole officer, a field officer, or another type of supervising officer. 977
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(G) An offender is "adjudicated as being a sexual predator" if any of the following applies: 981
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(1) The offender is convicted of or pleads guilty to committing, on or after January 1, 1997, a sexually oriented offense that is a sexually violent offense and also is convicted of or pleads guilty to a sexually violent predator specification that was included in the indictment, count in the indictment, or information that charged the sexually violent offense. 983
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(2) Regardless of when the sexually oriented offense was committed, on or after January 1, 1997, the offender is sentenced for a sexually oriented offense, and the sentencing judge determines pursuant to division (B) of section 2950.09 of the Revised Code that the offender is a sexual predator. 989
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(3) The sexually oriented offense was committed on or after the effective date of this amendment, the offender is adjudicated a delinquent child for committing the sexually oriented offense, and the adjudicating judge determines pursuant to division (B) of section 2950.09 of the Revised Code that the offender is a sexual predator. 994
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(4) Prior to January 1, 1997, the offender was convicted of or pleaded guilty to, and was sentenced for, a sexually oriented offense, the offender is imprisoned in a state correctional institution on or after January 1, 1997, and the court determines pursuant to division (C) of section 2950.09 of the Revised Code that the offender is a sexual predator. 1000
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~~(4)~~(5) Regardless of when the sexually oriented offense was committed, the offender is convicted of or pleads guilty to, ~~or~~ has been convicted of or pleaded guilty to, or is adjudicated a delinquent child for committing a sexually oriented offense in another state or in a federal court, military court, or an Indian tribal court, as a result of that conviction ~~or~~, plea of guilty, or adjudication, the offender or delinquent child is required, under the law of the jurisdiction in which the offender was convicted or pleaded guilty or the delinquent child was adjudicated, to register as a sex offender until the offender's or delinquent child's death and to verify the offender's or delinquent child's address on at least a quarterly basis each year, and, on or after July 1, 1997, the offender or delinquent child moves to and resides in this state or temporarily is domiciled in this state for more than seven days, unless a court of common pleas determines that the offender or delinquent child is not a sexual predator pursuant to division (F) of section 2950.09 of the Revised Code. 1006
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(H) "Sexually violent predator specification" and "sexually violent offense" have the same meanings as in section 2971.01 of 1024
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the Revised Code. 1026

(I) "Post-release control sanction" and "transitional control" have the same meanings as in section 2967.01 of the Revised Code. 1027
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Sec. 2950.02. (A) The general assembly hereby determines and declares that it recognizes and finds all of the following: 1030
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(1) If the public is provided adequate notice and information about sexual predators, habitual sex offenders, ~~and~~ certain other offenders, and certain delinquent children who commit sexually oriented offenses, members of the public and communities can develop constructive plans to prepare themselves and their children for the sexual predator's, habitual sex offender's, or other offender's or delinquent child's release from imprisonment, a prison term, or other confinement or detention. This allows members of the public and communities to meet with members of law enforcement agencies to prepare and obtain information about the rights and responsibilities of the public and the communities and to provide education and counseling to their children. 1032
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(2) Sexual predators and habitual sex offenders pose a high risk of engaging in further offenses even after being released from imprisonment, a prison term, or other confinement or detention and that protection of members of the public from sexual predators and habitual sex offenders is a paramount governmental interest. 1045
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(3) The penal, juvenile, and mental health components of the justice system of this state are largely hidden from public view, and a lack of information from ~~either~~ any component may result in the failure of ~~both systems~~ the system to satisfy this paramount governmental interest of public safety described in division (A)(2) of this section. 1051
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(4) Overly restrictive confidentiality and liability laws governing the release of information about sexual predators and habitual sex offenders have reduced the willingness to release information that could be appropriately released under the public disclosure laws and have increased risks of public safety.

(5) A person who is found to be a sexual predator or a habitual sex offender has a reduced expectation of privacy because of the public's interest in public safety and in the effective operation of government.

(6) The release of information about sexual predators and habitual sex offenders to public agencies and the general public will further the governmental interests of public safety and public scrutiny of the criminal, juvenile, and mental health systems as long as the information released is rationally related to the furtherance of those goals.

(B) The general assembly hereby declares that, in providing in this chapter for registration regarding sexual predators, habitual sex offenders, ~~and~~ offenders, and delinquent children who have committed sexually oriented offenses and for community notification regarding sexual predators and habitual sex offenders who are about to be or have been released from imprisonment, a prison term, or other confinement or detention and who will live in or near a particular neighborhood or who otherwise will live in or near a particular neighborhood, it is the general assembly's intent to protect the safety and general welfare of the people of this state. The general assembly further declares that it is the policy of this state to require the exchange in accordance with this chapter of relevant information about sexual predators and habitual sex offenders among public agencies and officials and to authorize the release in accordance with this chapter of necessary and relevant information about sexual predators and habitual sex offenders to members of the general public as a means of assuring

public protection and that the exchange or release of that 1089
information is not punitive. 1090

Sec. 2950.03. (A) Each person who has been convicted of, is 1091
convicted of, has pleaded guilty to, ~~or~~ pleads guilty to, or is 1092
adjudicated a delinquent child for committing a sexually oriented 1093
offense and who has a duty to register pursuant to section 2950.04 1094
of the Revised Code shall be provided notice in accordance with 1095
this section of the offender's or delinquent child's duty to 1096
register under that section, the offender's or delinquent child's 1097
duty to provide notice of any change in the offender's or 1098
delinquent child's residence address and to register the new 1099
residence address pursuant to section 2950.05 of the Revised Code, 1100
and the offender's or delinquent child's duty to periodically 1101
verify the offender's or delinquent child's residence address 1102
pursuant to section 2950.06 of the Revised Code. The following 1103
official shall provide the notice to the offender or delinquent 1104
child at the following time: 1105

(1) Regardless of when the offender committed the sexually 1106
oriented offense, if the offender is sentenced for the sexually 1107
oriented offense to a prison term, a term of imprisonment, or any 1108
other type of confinement, and if, on or after January 1, 1997, 1109
the offender is serving that term or is under that confinement, 1110
the official in charge of the jail, workhouse, state correctional 1111
institution, or other institution in which the offender serves the 1112
prison term, term of imprisonment, or confinement, or a designee 1113
of that official, shall provide the notice to the offender before 1114
the offender is released pursuant to any type of supervised 1115
release or before the offender otherwise is released from the 1116
prison term, term of imprisonment, or confinement. 1117

(2) Regardless of when the offender committed the sexually 1118
oriented offense, if the offender is sentenced for that offense on 1119
or after January 1, 1997, and if division (A)(1) of this section 1120

does not apply, the judge shall provide the notice to the offender 1121
at the time of sentencing. 1122

(3) If the offender committed the sexually oriented offense 1123
prior to January 1, 1997, if neither division (A)(1) nor division 1124
(A)(2) of this section applies, and if, immediately prior to 1125
January 1, 1997, the offender was a habitual sex offender who was 1126
required to register under Chapter 2950. of the Revised Code, the 1127
chief of police or sheriff with whom the offender most recently 1128
registered under that chapter, in the circumstances described in 1129
this division, shall provide the notice to the offender. If the 1130
offender has registered with a chief of police or sheriff under 1131
Chapter 2950. of the Revised Code as it existed prior to January 1132
1, 1997, the chief of police or sheriff with whom the offender 1133
most recently registered shall provide the notice to the offender 1134
as soon as possible after January 1, 1997, as described in 1135
division (B)(1) of this section. If the offender has not 1136
registered with a chief of police or sheriff under that chapter, 1137
the failure to register shall constitute a waiver by the offender 1138
of any right to notice under this section. If an offender 1139
described in this division does not receive notice under this 1140
section, the offender is not relieved of the duty to register, the 1141
duty to provide notice of any change in residence address and to 1142
register the new residence address, and the duty to periodically 1143
verify the residence address, as described in division (A) of this 1144
section. 1145

(4) If the offender is an offender of the type described in 1146
division (A)(1) of this section and if, subsequent to release, the 1147
offender is adjudicated as being a sexual predator pursuant to 1148
division (C) of section 2950.09 of the Revised Code, the judge 1149
shall provide the notice to the offender at the time of 1150
adjudication. 1151

(5) Regardless of when the delinquent child committed the 1152

sexually oriented offense, if the delinquent child is adjudicated 1153
a delinquent child on or after the effective date of this 1154
amendment for committing the offense, the judge shall provide the 1155
notice to the delinquent child at the time of the adjudication. 1156

(B)(1) The notice provided under division (A) of this section 1157
shall inform the offender or delinquent child of the ~~offender's~~ 1158
duty to register under section 2950.04 of the Revised Code, to 1159
notify the appropriate officials of a change in the offender's or 1160
delinquent child's residence address and to register the new 1161
residence address in accordance with section 2950.05 of the 1162
Revised Code, and to periodically verify a residence address under 1163
section 2950.06 of the Revised Code. The notice shall comport with 1164
the following: 1165

(a) If the notice is provided under division (A)(3) of this 1166
section, the notice shall be on a form that is prescribed by the 1167
bureau of criminal identification and investigation and that 1168
states the offender's duties to register, to register a new 1169
residence address, and to periodically verify a residence address 1170
and that, if the offender has any questions concerning these 1171
duties, the offender may contact the chief of police or sheriff 1172
who sent the form for an explanation of the duties. If the 1173
offender appears in person before the chief of police or sheriff, 1174
the chief or sheriff shall provide the notice as described in 1175
division (B)(1)(a) of this section, and all provisions of this 1176
section that apply regarding a notice provided by an official, 1177
official's designee, or judge in that manner shall be applicable. 1178

(b) If the notice is provided under division (A)(1), (2), or 1179
(4) of this section, the official, official's designee, or judge 1180
shall require the offender to read and sign a form prescribed by 1181
the bureau of criminal identification and investigation, stating 1182
that the offender's duties to register, to register a new 1183
residence address, and to periodically verify a residence address 1184

have been explained to the offender. If the offender is unable to read, the official, official's designee, or judge shall certify on the form that the official, designee, or judge specifically informed the offender of those duties and that the offender indicated an understanding of those duties.

(c) If the notice is provided under division (A)(5) of this section, the judge shall require the delinquent child and the delinquent child's parent, guardian, or custodian to read and sign a form prescribed by the bureau of criminal identification and investigation, stating that the delinquent child's duties to register, to register a new residence address, and to periodically verify a residence address have been explained to the delinquent child and the delinquent child's parent, guardian, or custodian. If the delinquent child or the delinquent child's parent, guardian, or custodian is unable to read, the judge shall certify on the form that the judge specifically informed the delinquent child or the delinquent child's parent, guardian, or custodian of those duties and that the delinquent child or the delinquent child's parent, guardian, or custodian indicated an understanding of those duties.

(d) For any notice provided under division (A) of this section, the form used shall contain all of the information required by the bureau of criminal identification and investigation, including, but not limited to, a statement as to whether the offender or delinquent child has been adjudicated as being a sexual predator relative to the sexually oriented offense in question, a statement as to whether the offender or delinquent child has been determined to be a habitual sex offender, an explanation of the periodic residence address verification process and of the frequency with which the offender or delinquent child will be required to verify the residence address under that process, and a statement that the offender or delinquent child

must verify the residence address at the times specified under 1217
that process or face criminal prosecution. 1218

~~(d)~~(e) If the notice is provided under division (A)(4) of 1219
this section, the form also shall include a statement that the 1220
notice replaces any notice previously provided to the offender 1221
under division (A)(1) of this section, a statement that the 1222
offender's duties described in this notice supersede the duties 1223
described in the prior notice, and a statement notifying the 1224
offender that, if the offender already has registered under 1225
section 2950.04 of the Revised Code, the offender must register 1226
again pursuant to division (A)(6) of that section. 1227

(2)(a) After an offender described in division (A)(1), (2), 1228
or (4) of this section has signed the form described in division 1229
(B)(1) of this section or the official, official's designee, or 1230
judge has certified on ~~it~~ the form that ~~it~~ the form has been 1231
explained to the offender and that the offender indicated an 1232
understanding of the duties indicated on it, the official, 1233
official's designee, or judge shall give one copy of the form to 1234
the offender, within three days shall send one copy of the form to 1235
the bureau of criminal identification and investigation in 1236
accordance with the procedures adopted pursuant to section 2950.13 1237
of the Revised Code, and shall send one copy of the form to the 1238
sheriff of the county in which the offender expects to reside. 1239
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(b) After a chief of police or sheriff has sent a form to an 1241
offender under division (A)(3) of this section, the chief or 1242
sheriff shall send a copy of the form to the bureau of criminal 1243
identification and investigation in accordance with the procedures 1244
adopted pursuant to section 2950.13 of the Revised Code. 1245

(c) After a delinquent child described in division (A)(5) of 1246
this section and the delinquent child's parent, guardian, or 1247
custodian have signed the form described in division (B)(1) of 1248

this section or the judge has certified on the form that the form 1249
has been explained to the delinquent child or the delinquent 1250
child's parent, guardian, or custodian and that the delinquent 1251
child or the delinquent child's parent, guardian, or custodian 1252
indicated an understanding of the duties indicated on the form, 1253
the judge shall give a copy of the form to both the delinquent 1254
child and to the delinquent child's parent, guardian, or 1255
custodian, within three days shall send one copy of the form to 1256
the bureau of criminal identification and investigation in 1257
accordance with the procedures adopted pursuant to section 2950.13 1258
of the Revised Code, and shall send one copy of the form to the 1259
sheriff of the county in which the delinquent child expects to 1260
reside. 1261

(C) The official, official's designee, judge, chief of 1262
police, or sheriff who is required to provide notice to an 1263
offender or delinquent child under division (A) of this section 1264
shall do all of the following: 1265

(1) If the notice is provided under division (A)(1), (2), ~~or~~ 1266
(4), or (5) of this section, the official, designee, or judge 1267
shall determine the offender's or delinquent child's name, 1268
identifying factors, and expected future residence address, shall 1269
obtain the offender's or delinquent child's criminal and 1270
delinquency history, and shall obtain a photograph and the 1271
fingerprints of the offender or delinquent child. If the notice is 1272
provided by a judge under division (A)(2) ~~or~~, (4), or (5) of this 1273
section, the sheriff shall provide the offender's or delinquent 1274
child's criminal and delinquency history to the judge. The 1275
official, official's designee, or judge shall obtain this 1276
information and these items prior to giving the notice, except 1277
that a judge may give the notice prior to obtaining the offender's 1278
or delinquent child's criminal and delinquency history. Within 1279
three days after receiving this information and these items, the 1280

official, official's designee, or judge shall forward the 1281
information and items to the bureau of criminal identification and 1282
investigation in accordance with the forwarding procedures adopted 1283
pursuant to section 2950.13 of the Revised Code and to the sheriff 1284
of the county in which the offender expects to reside. If it has 1285
not already done so, the bureau of criminal identification and 1286
investigation shall forward a copy of the fingerprints and 1287
conviction data received under this division to the federal bureau 1288
of investigation. 1289

(2) If the notice is provided under division (A)(3) of this 1290
section, the chief of police or sheriff shall determine the 1291
offender's name, identifying factors, and residence address, shall 1292
obtain the offender's criminal history from the bureau of criminal 1293
identification and investigation, and, to the extent possible, 1294
shall obtain a photograph and the fingerprints of the offender. 1295
Within three days after receiving this information and these 1296
items, the chief or sheriff shall forward the information and 1297
items to the bureau of criminal identification and investigation 1298
in accordance with the forwarding procedures adopted pursuant to 1299
section 2950.13 of the Revised Code and, in relation to a chief of 1300
police, to the sheriff of the county in which the offender 1301
resides. If it has not already done so, the bureau of criminal 1302
identification and investigation shall forward a copy of the 1303
fingerprints and conviction data so received to the federal bureau 1304
of investigation. 1305

Sec. 2950.04. (A)~~(1)~~ Each offender who is convicted of or 1306
pleads guilty to, or has been convicted of or pleaded guilty to, a 1307
sexually oriented offense and who is described in division 1308
(A)~~(1)~~~~(a)~~, ~~(2)~~~~(b)~~, or ~~(3)~~~~(c)~~ of this section shall register with 1309
the sheriff of the following applicable described county and at 1310
the following time: 1311

~~(1)~~~~(a)~~ Regardless of when the sexually oriented offense was 1312

committed, if the offender is sentenced for the sexually oriented 1313
offense to a prison term, a term of imprisonment, or any other 1314
type of confinement and if, on or after July 1, 1997, the offender 1315
is released in any manner from the prison term, term of 1316
imprisonment, or confinement, within seven days of the offender's 1317
coming into any county in which the offender resides or 1318
temporarily is domiciled for more than seven days, the offender 1319
shall register with the sheriff of that county. 1320

~~(2)~~(b) Regardless of when the sexually oriented offense was 1321
committed, if the offender is sentenced for a sexually oriented 1322
offense on or after July 1, 1997, and if division (A)(1)(a) of 1323
this section does not apply, within seven days of the offender's 1324
coming into any county in which the offender resides or 1325
temporarily is domiciled for more than seven days, the offender 1326
shall register with the sheriff of that county. 1327

~~(3)~~(c) If the sexually oriented offense was committed prior 1328
to July 1, 1997, if neither division (A)(1)(a) nor division 1329
(A)~~(2)~~(1)(b) of this section applies, and if, immediately prior to 1330
July 1, 1997, the offender was a habitual sex offender who was 1331
required to register under Chapter 2950. of the Revised Code, 1332
within seven days of the offender's coming into any county in 1333
which the offender resides or temporarily is domiciled for more 1334
than seven days, the offender shall register with the sheriff of 1335
that county. 1336

(2) Each delinquent child who is adjudicated a delinquent 1337
child for committing a sexually oriented offense that was 1338
committed on or after the effective date of this amendment and who 1339
is described in division (A)(2)(a) or (b) of this section shall 1340
register at the following time and with the following official: 1341

(a) If the delinquent child is committed to the custody of 1342
the department of youth services for committing the sexually 1343
oriented offense, and if, on or after the effective date of this 1344

amendment, the delinquent child is discharged from the custody of the department of youth services, within seven days of the delinquent child's coming into any county in which the delinquent child resides or temporarily is domiciled for more than seven days, the delinquent child shall register with the sheriff of that county.

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(b) If division (A)(2)(a) of this section does not apply, within seven days of the delinquent child's coming into any county in which the delinquent child resides or temporarily is domiciled for more than seven days, the delinquent child shall register with the sheriff of that county.

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~~(4)(3)~~ Regardless of when the sexually oriented offense was committed, if divisions ~~(A)(1), (2), and (3)(a), (A)(1)(b), (A)(1)(c), (A)(2)(a), and (A)(2)(b)~~ of this section do not apply, if the ~~offender person~~ is convicted of ~~or~~, pleads guilty to, ~~or is~~ adjudicated a delinquent child for committing a sexually oriented offense in another state or in a federal court, military court, or an Indian tribal court, if, on or after July 1, 1997, the offender ~~or delinquent child~~ moves to and resides in this state or temporarily is domiciled in this state for more than seven days, and if, at the time the offender ~~or delinquent child~~ moves to and resides in this state or temporarily is domiciled in this state for more than seven days, the offender ~~or delinquent child~~ has a duty to register as a sex offender under the law of that other jurisdiction as a result of the conviction or guilty plea, within seven days of the offender's ~~or delinquent child's~~ coming into any county in which the offender ~~or delinquent child~~ resides or temporarily is domiciled for more than seven days, the offender shall register with the sheriff of that county.

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~~(5)(4)~~ Regardless of when the sexually oriented offense was committed, if divisions ~~(A)(1), (2), and (3)(a), (A)(1)(b), (A)(1)(c), (A)(2)(a), and (A)(2)(b)~~ of this section do not apply,

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if the ~~offender~~ person is convicted of ~~or~~, pleads guilty to, or is 1377
adjudicated a delinquent child for committing a sexually oriented 1378
offense in another state or in a federal court, military court, or 1379
an Indian tribal court, if, on or after July 1, 1997, the offender 1380
or delinquent child is released from imprisonment ~~or~~, confinement, 1381
or detention imposed for that offense, and if, on or after July 1, 1382
1997, the offender or delinquent child moves to and resides in 1383
this state or temporarily is domiciled in this state for more than 1384
seven days, within seven days of the offender's or delinquent 1385
child's coming into any county in which the offender or delinquent 1386
child resides or temporarily is domiciled for more than seven days 1387
the offender or delinquent child shall register with the sheriff 1388
of that county. The duty to register as described in this division 1389
applies regardless of whether the offender or delinquent child, at 1390
the time of moving to and residing in this state or temporarily 1391
being domiciled in this state for more than seven days, has a duty 1392
to register as a sex offender under the law of the jurisdiction in 1393
which the conviction ~~or~~, guilty plea, or adjudication occurred. 1394

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~~(6)~~(5) If division (A)(1) of this section applies and if, 1396
subsequent to the offender's release, the offender is adjudicated 1397
to be a sexual predator under division (C) of section 2950.09 of 1398
the Revised Code, the offender shall register within seven days of 1399
the adjudication with the sheriff of the county in which the 1400
offender resides or temporarily is domiciled for more than seven 1401
days and shall register with the sheriff of any county in which 1402
the offender subsequently resides or temporarily is domiciled for 1403
more than seven days within seven days of coming into that county. 1404

(B) An offender or delinquent child who is required by 1405
division (A) of this section to register personally shall obtain 1406
from the sheriff or from a designee of the sheriff a registration 1407
form that conforms to division (C) of this section, shall complete 1408

and sign the form, and shall return the completed form together 1409
with the offender's or delinquent child's photograph to the 1410
sheriff or the designee. The sheriff or designee shall sign the 1411
form and indicate on the form the date on which it is so returned. 1412
The registration required under this division is complete when the 1413
offender or delinquent child returns the form, containing the 1414
requisite information, photograph, signatures, and date, to the 1415
sheriff or designee. 1416

(C) The registration form to be used under divisions (A) and 1417
(B) of this section shall contain the current residence address of 1418
the offender or delinquent child who is registering, the name and 1419
address of the offender's or delinquent child's employer, if the 1420
offender or delinquent child is employed at the time of 1421
registration or if the offender or delinquent child knows at the 1422
time of registration that the offender or delinquent child will be 1423
commencing employment with that employer subsequent to 1424
registration, and any other information required by the bureau of 1425
criminal identification and investigation and shall include the 1426
offender's or delinquent child's photograph. Additionally, if the 1427
offender or delinquent child has been adjudicated as being a 1428
sexual predator relative to the sexually oriented offense in 1429
question and the court has not subsequently determined pursuant to 1430
division (D) of section 2950.09 of the Revised Code that the 1431
offender or delinquent child no longer is a sexual predator or if 1432
the sentencing judge determined pursuant to division (C) of 1433
section 2950.09 of the Revised Code that the offender or 1434
delinquent child is a habitual sex offender, the offender or 1435
delinquent child shall include on the signed, written registration 1436
form all of the following information: 1437

(1) A specific declaration that the person has been 1438
adjudicated as being a sexual predator or has been determined to 1439
be a habitual sex offender, whichever is applicable; 1440

(2) If the offender or delinquent child has been adjudicated 1441
as being a sexual predator, the identification license plate 1442
number of each motor vehicle the offender owns and of each motor 1443
vehicle registered in the offender's or delinquent child's name. 1444

(D) After an offender or delinquent child registers with a 1445
sheriff pursuant to this section, the sheriff shall forward the 1446
signed, written registration form and photograph to the bureau of 1447
criminal identification and investigation in accordance with the 1448
forwarding procedures adopted pursuant to section 2950.13 of the 1449
Revised Code. The bureau shall include the information and 1450
materials forwarded to it under this division in the state 1451
registry of sex offenders established and maintained under section 1452
2950.13 of the Revised Code. 1453

(E) No person who is required to register pursuant to 1454
divisions (A) and (B) of this section shall fail to register as 1455
required in accordance with those divisions or that division. 1456

(F) An offender or delinquent child who is required to 1457
register pursuant to divisions (A) and (B) of this section shall 1458
register pursuant to this section for the period of time specified 1459
in section 2950.07 of the Revised Code. 1460

Sec. 2950.05. (A) If an offender or delinquent child is 1461
required to register pursuant to section 2950.04 of the Revised 1462
Code, the offender or delinquent child, at least seven days prior 1463
to changing the offender's or delinquent child's residence address 1464
during the period during which the offender or delinquent child is 1465
required to register, shall provide written notice of the 1466
residence address change to the sheriff with whom the offender or 1467
delinquent child most recently registered under section 2950.04 of 1468
the Revised Code or under division (B) of this section. 1469

(B) If an offender or delinquent child is required to provide 1470
notice of a residence address change under division (A) of this 1471

section, the offender or delinquent child, at least seven days 1472
prior to changing the residence address, also shall register the 1473
new residence address in the manner described in divisions (B) and 1474
(C) of section 2950.04 of the Revised Code with the sheriff of the 1475
county in which the offender's or delinquent child's new residence 1476
address is located, subject to division (C) of this section. 1477

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(C) Divisions (A) and (B) of this section apply to a person 1479
who is required to register pursuant to section 2950.04 of the 1480
Revised Code regardless of whether the new residence address is in 1481
this state or in another state. If the new residence address is in 1482
another state, the person shall register with the appropriate law 1483
enforcement officials in that state in the manner required under 1484
the law of that state and within the earlier of the period of time 1485
required under the law of that state or at least seven days prior 1486
to changing the residence address. 1487

(D)(1) Upon receiving from an offender or delinquent child 1488
pursuant to division (A) of this section notice of a change of the 1489
offender's or delinquent child's residence address, a sheriff 1490
promptly shall forward the new residence address to the bureau of 1491
criminal identification and investigation in accordance with the 1492
forwarding procedures adopted pursuant to section 2950.13 of the 1493
Revised Code if the new residence address is in another state or, 1494
if the offender's or delinquent child's new residence address is 1495
located in another county in this state, to the sheriff of that 1496
county. The bureau shall include all information forwarded to it 1497
under this division in the state registry of sex offenders 1498
established and maintained under section 2950.13 of the Revised 1499
Code and shall forward notice of the offender's or delinquent 1500
child's new residence address to the appropriate officials in the 1501
other state. 1502

(2) When an offender or delinquent child registers a new 1503

residence address pursuant to division (B) of this section, the 1504
sheriff with whom the offender or delinquent child registers and 1505
the bureau of criminal identification and investigation shall 1506
comply with division (D) of section 2950.04 of the Revised Code. 1507

(E)(1) No person who is required to notify a sheriff of a 1508
change of address pursuant to division (A) of this section shall 1509
fail to notify the appropriate sheriff in accordance with that 1510
division. 1511

(2) No person who is required to register a new residence 1512
address with a sheriff or with an official of another state 1513
pursuant to divisions (B) and (C) of this section shall fail to 1514
register with the appropriate sheriff or official of the other 1515
state in accordance with those divisions. 1516

(F) An offender or delinquent child who is required to comply 1517
with divisions (A), (B), and (C) of this section shall do so for 1518
the period of time specified in section 2950.07 of the Revised 1519
Code. 1520

Sec. 2950.06. (A) An offender or delinquent child who is 1521
required to register pursuant to section 2950.04 of the Revised 1522
Code shall periodically verify the offender's or delinquent 1523
child's current residence address in accordance with this section. 1524
The frequency of verification shall be determined in accordance 1525
with division (B) of this section, and the manner of verification 1526
shall be determined in accordance with division (C) of this 1527
section. 1528

(B) The frequency with which an offender or delinquent child 1529
must verify the offender's or delinquent child's current residence 1530
address pursuant to division (A) of this section shall be 1531
determined as follows: 1532

(1) Regardless of when the sexually oriented offense for 1533
which the offender or delinquent child is required to register was 1534

committed, if the offender or delinquent child has been 1535
adjudicated as being a sexual predator relative to the sexually 1536
oriented offense and if the court has not subsequently entered a 1537
determination pursuant to division (D) of section 2950.09 of the 1538
Revised Code that the offender or delinquent child no longer is a 1539
sexual predator, the offender or delinquent child shall verify the 1540
offender's or delinquent child's current residence address in 1541
accordance with division (C) of this section every ninety days 1542
after the offender's or delinquent child's initial registration 1543
date during the period the offender or delinquent child is 1544
required to register. 1545

(2) In all circumstances not described in division (B)(1) of 1546
this section, the offender or delinquent child shall verify the 1547
offender's or delinquent child's current residence address in 1548
accordance with division (C) of this section on each anniversary 1549
of the offender's or delinquent child's initial registration date 1550
during the period the offender or delinquent child is required to 1551
register. 1552

(C)(1) An offender or delinquent child who is required to 1553
verify the offender's or delinquent child's current residence 1554
address pursuant to division (A) of this section shall verify the 1555
address with the sheriff with whom the offender or delinquent 1556
child most recently registered by personally appearing before the 1557
sheriff or a designee of the sheriff, no earlier than ten days 1558
before the date on which the verification is required pursuant to 1559
division (B) of this section and no later than the date so 1560
required for verification, and completing and signing a copy of 1561
the verification form prescribed by the bureau of criminal 1562
identification and investigation. The sheriff or designee shall 1563
sign the completed form and indicate on the form the date on which 1564
it is so completed. The verification required under this division 1565
is complete when the offender or delinquent child personally 1566

appears before the sheriff or designee and completes and signs the form as described in this division.

(2) To facilitate the verification of an offender's or delinquent child's current residence address under division (C)(1) of this section, the sheriff with whom the offender or delinquent child most recently registered may mail a nonforwardable verification form prescribed by the bureau of criminal identification and investigation to the offender's or delinquent child's last reported address and to the last reported address of the parents of the delinquent child, with a notice that conspicuously states that the offender or delinquent child must personally appear before the sheriff or a designee of the sheriff to complete the form and the date by which the form must be so completed. Regardless of whether a sheriff mails a form to an offender or delinquent child and that child's parents, each offender or delinquent child who is required to verify the offender's or delinquent child's current residence address pursuant to division (A) of this section shall personally appear before the sheriff or a designee of the sheriff to verify the address in accordance with division (C)(1) of this section.

(D) The verification form to be used under division (C) of this section shall contain the current residence address of the offender or delinquent child, the name and address of the offender's or delinquent child's employer if the offender or delinquent child is employed at the time of verification or if the offender or delinquent child knows at the time of verification that the offender or delinquent child will be commencing employment with that employer subsequent to verification, and any other information required by the bureau of criminal identification and investigation.

(E) Upon an offender's or delinquent child's personal appearance and completion of a verification form under division

(C) of this section, a sheriff promptly shall forward a copy of 1599
the verification form to the bureau of criminal identification and 1600
investigation in accordance with the forwarding procedures adopted 1601
by the attorney general pursuant to section 2950.13 of the Revised 1602
Code. The bureau shall include all information forwarded to it 1603
under this division in the state registry of sex offenders 1604
established and maintained under section 2950.13 of the Revised 1605
Code. 1606

(F) No person who is required to verify a current residence 1607
address pursuant to divisions (A) to (C) of this section shall 1608
fail to verify a current residence address in accordance with 1609
those divisions by the date required for the verification as set 1610
forth in division (B) of this section, provided that no person 1611
shall be prosecuted for a violation of this division prior to the 1612
expiration of the period of time specified in division (G) of this 1613
section. 1614

(G)(1) If an offender or delinquent child fails to verify a 1615
current residence address as required by divisions (A) to (C) of 1616
this section by the date required for the verification as set 1617
forth in division (B) of this section, the sheriff with whom the 1618
offender or delinquent child is required to verify the current 1619
residence address, on the day following that date required for the 1620
verification, shall send a written warning to the offender or 1621
delinquent child and that child's parents, at the offender's or 1622
delinquent child's and that child's parents last known residence 1623
address, regarding the offender's or delinquent child's duty to 1624
verify the offender's or delinquent child's current residence 1625
address. The written warning shall identify the sheriff who sends 1626
it and the date on which it is sent and shall state conspicuously 1627
that the offender or delinquent child has failed to verify the 1628
offender's or delinquent child's current residence address by the 1629
date required for the verification, that the offender or 1630

delinquent child has seven days from the date on which the warning 1631
is sent to verify the current residence address with the sheriff 1632
who sent the warning, that a failure to timely verify the current 1633
residence address is a felony offense, that, if the offender or 1634
delinquent child verifies the current residence address with that 1635
sheriff within that seven-day-period, the offender or delinquent 1636
child will not be prosecuted for a failure to timely verify a 1637
current residence address, and that, if the offender or delinquent 1638
child does not verify the current residence address with that 1639
sheriff within that seven-day-period, the offender or delinquent 1640
child will be arrested or taken into custody, as appropriate, and 1641
prosecuted for a failure to timely verify a current residence 1642
address. 1643

(2) If an offender or delinquent child fails to verify a 1644
current residence address as required by divisions (A) to (C) of 1645
this section by the date required for the verification as set 1646
forth in division (B) of this section, the offender or delinquent 1647
child shall not be prosecuted for a violation of division (F) of 1648
this section unless the seven-day-period subsequent to that date 1649
that the offender or delinquent child is provided under division 1650
(G)(1) of this section to verify the current residence address has 1651
expired and the offender or delinquent child, prior to the 1652
expiration of that seven-day-period, has not verified the current 1653
residence address. Upon the expiration of the seven-day-period 1654
that the offender or delinquent child is provided under division 1655
(G)(1) of this section to verify the current residence address has 1656
expired, if the offender or delinquent child has not verified the 1657
current residence address, all of the following apply: 1658

(a) The sheriff with whom the offender or delinquent child is 1659
required to verify the current residence address promptly shall 1660
notify the bureau of criminal identification and investigation of 1661
the failure. 1662

(b) The sheriff with whom the offender or delinquent child is 1663
required to verify the current residence address, the sheriff of 1664
the county in which the offender or delinquent child resides, or a 1665
deputy of the appropriate sheriff, shall locate the offender or 1666
delinquent child, promptly shall seek a warrant for the arrest or 1667
taking into custody, as appropriate, of the offender or delinquent 1668
child for the violation of division (F) of this section and shall 1669
arrest the offender or take the child into custody, as 1670
appropriate. 1671

(c) The offender or delinquent child is subject to 1672
prosecution for the violation of division (F) of this section. 1673

(H) A person who is required to verify the person's current 1674
residence address pursuant to divisions (A) to (C) of this section 1675
shall do so for the period of time specified in section 2950.07 of 1676
the Revised Code. 1677

Sec. 2950.07. (A) The duty of an offender who is convicted of 1678
or pleads guilty to, or has been convicted of or pleaded guilty 1679
to, a sexually oriented offense and the duty of a delinquent child 1680
who is adjudicated a delinquent child for committing a sexually 1681
oriented offense to comply with sections 2950.04, 2950.05, and 1682
2950.06 of the Revised Code commences on whichever of the 1683
following dates is applicable: 1684

(1) If the offender's duty to register is imposed pursuant to 1685
division (A)(1)(a) of section 2950.04 of the Revised Code, the 1686
offender's duty to comply with those sections commences on the 1687
date of the offender's release from a prison term, a term of 1688
imprisonment, or any other type of confinement or on July 1, 1997, 1689
whichever is later. 1690

(2) If the offender's duty to register is imposed pursuant to 1691
division (A)~~(2)~~(1)(b) of section 2950.04 of the Revised Code, the 1692
offender's duty to comply with those sections commences on the 1693

date of entry of the judgment of conviction of the sexually 1694
oriented offense or on July 1, 1997, whichever is later. 1695

(3) If the offender's duty to register is imposed pursuant to 1696
division (A)~~(3)~~(1)(c) of section 2950.04 of the Revised Code, the 1697
offender's duty to comply with those sections commences fourteen 1698
days after July 1, 1997. 1699

(4) If the offender's duty to register is imposed pursuant to 1700
division (A)(3) or (4) ~~or (5)~~ of section 2950.04 of the Revised 1701
Code, the offender's duty to comply with those sections commences 1702
on ~~the effective date of this amendment~~ March 30, 1999, or on the 1703
date that the offender begins to reside or becomes temporarily 1704
domiciled in this state, whichever is later. 1705

(5) If the delinquent child's duty to register is imposed 1706
pursuant to division (A)(2)(a) of section 2950.04 of the Revised 1707
Code, the delinquent child's duty to comply with those sections 1708
commences on the date of the delinquent child's discharge from the 1709
custody of the department of youth services. 1710

(6) If the delinquent child's duty to register is imposed 1711
pursuant to division (A)(2)(b) of section 2950.04 of the Revised 1712
Code, the delinquent child's duty to comply with those sections 1713
commences on the date of entry of the order of disposition for 1714
committing the sexually oriented offense. 1715

(B) The duty of an offender who is convicted of or pleads 1716
guilty to, or has been convicted of or pleads guilty to, or a 1717
delinquent child who is adjudicated a delinquent child for 1718
committing, a sexually oriented offense to comply with sections 1719
2950.04, 2950.05, and 2950.06 of the Revised Code continues, after 1720
the date of commencement, for whichever of the following periods 1721
is applicable: 1722

(1) Except as otherwise provided in this division, if the 1723
offender or delinquent child has been adjudicated as being a 1724

sexual predator relative to the sexually oriented offense, the 1725
offender's or delinquent child's duty to comply with those 1726
sections continues until the offender's or delinquent child's 1727
death. If the judge who sentenced the offender or made the 1728
disposition for the delinquent child or that judge's successor in 1729
office subsequently enters a determination pursuant to division 1730
(D) of section 2950.09 of the Revised Code that the offender or 1731
delinquent child no longer is a sexual predator, the offender's or 1732
delinquent child's duty to comply with those sections continues 1733
for the period of time that otherwise would have been applicable 1734
to the offender or delinquent child under division (B)(2) or (3) 1735
of this section. 1736

(2) If the judge who sentenced the offender or made the 1737
disposition for the delinquent child for committing the sexually 1738
oriented offense or made the disposition for the delinquent child 1739
for committing the sexually oriented offense determined pursuant 1740
to division (E) of section 2950.09 of the Revised Code that the 1741
offender or delinquent child is a habitual sex offender, the 1742
offender's or delinquent child's duty to comply with those 1743
sections continues for twenty years. 1744

(3) If neither division (B)(1) nor (B)(2) of this section 1745
applies, the offender's or delinquent child's duty to comply with 1746
those sections continues for ten years. 1747

(C) If an offender has been convicted of or pleaded guilty 1748
to, or a delinquent child has been adjudicated a delinquent child 1749
for committing, a sexually oriented offense and if the offender 1750
subsequently is convicted of or pleads guilty to, or the 1751
delinquent child subsequently is adjudicated a delinquent child 1752
for, is convicted of, or pleads guilty to, another sexually 1753
oriented offense, the period of time for which the offender or 1754
delinquent child must comply with the sections specified in 1755
division (A) of this section shall be separately calculated 1756

pursuant to divisions (A)(1), (2), ~~and (3)~~, (4), and (5) of this 1757
section for each of the sexually oriented offenses, and the 1758
separately calculated periods of time shall be complied with 1759
independently. 1760

(D) The duty of an offender or delinquent child to register 1761
under this chapter is tolled for any period during which the 1762
offender or delinquent child is returned to confinement for any 1763
reason or imprisoned for an offense when the confinement or 1764
imprisonment occurs subsequent to the date determined pursuant to 1765
division (A) of this section. The offender's or delinquent child's 1766
duty to register under this chapter resumes upon the offender's or 1767
delinquent child's release from confinement or imprisonment. 1768
1769

(E) An offender or delinquent child who has been convicted of 1770
or pleaded guilty to, or has been or is adjudicated a delinquent 1771
child for committing, a sexually oriented offense in another state 1772
or in a federal court, military court, or an Indian tribal court 1773
may apply to the sheriff of the county in which the offender or 1774
delinquent child resides or temporarily is domiciled for credit 1775
against the duty to register for the time that the offender or 1776
delinquent child has complied with the sex offender registration 1777
requirements of another jurisdiction. The sheriff shall grant the 1778
offender or delinquent child credit against the duty to register 1779
for time for which the offender or delinquent child provides 1780
adequate proof that the offender or delinquent child has complied 1781
with the sex offender registration requirements of another 1782
jurisdiction. If the offender or delinquent child disagrees with 1783
the determination of the sheriff, the offender or delinquent child 1784
may appeal the determination to the court of common pleas of the 1785
county in which the offender or delinquent child resides or is 1786
temporarily domiciled. 1787

Sec. 2950.081. Any statements, information, photographs, or 1788

fingerprints that section 2950.04, 2950.05, or 2950.06 of the 1789
Revised Code requires a person to provide, that are provided by a 1790
person who registers, who provides notice of a change of residence 1791
address and registers the new residence address, or who provides 1792
verification of a current residence address pursuant to any 1793
provision of those sections, and that are in the possession of a 1794
county sheriff are public records open to public inspection under 1795
section 149.43 of the Revised Code. 1796

Sec. 2950.09. (A) If a person is convicted of or pleads 1797
guilty to committing, on or after January 1, 1997, a sexually 1798
oriented offense that is a sexually violent offense and also is 1799
convicted of or pleads guilty to a sexually violent predator 1800
specification that was included in the indictment, count in the 1801
indictment, or information charging the sexually violent offense, 1802
the conviction of plea of guilty to the specification 1803
automatically classifies the offender as a sexual predator for 1804
purposes of this chapter. If a person is convicted of ~~or~~, pleads 1805
guilty to, or is adjudicated a delinquent child for committing, a 1806
sexually oriented offense in another state, or in a federal court, 1807
military court, or an Indian tribal court and if, as a result of 1808
that conviction ~~or~~, plea of guilty, or adjudication, the person is 1809
required, under the law of the jurisdiction in which the person 1810
was convicted ~~or~~, pleaded guilty, or was adjudicated, to register 1811
as a sex offender until the person's death and is required to 1812
verify the person's address on at least a quarterly basis each 1813
year, that conviction ~~or~~, plea of guilty, or adjudication 1814
automatically classifies the ~~offender~~ person as a sexual predator 1815
for the purposes of this chapter, but the ~~offender~~ person may 1816
challenge that classification pursuant to division (F) of this 1817
section. In all other cases, a person who is convicted of or 1818
pleads guilty to, or has been convicted of or pleaded guilty to, 1819
or a person who is adjudicated a delinquent child for committing, 1820

a sexually oriented offense may be classified as a sexual predator 1821
for purposes of this chapter only in accordance with division (B) 1822
or (C) of this section. 1823

(B)(1) The judge who is to impose sentence on a person for 1824
committing a sexually oriented offense or who is to adjudicate a 1825
person a delinquent child for committing a sexually oriented 1826
offense shall conduct a hearing to determine whether the offender 1827
is a sexual predator if any of the following circumstances apply: 1828

(a) Regardless of when the sexually oriented offense was 1829
committed, if a the person is to be sentenced on or after January 1830
1, 1997, for a sexually oriented offense that is not a sexually 1831
violent offense, or if a. 1832

(b) Regardless of when the sexually oriented offense was 1833
committed, the person is to be sentenced on or after January 1, 1834
1997, for a sexually oriented offense that is a sexually violent 1835
offense and a sexually violent predator specification was not 1836
included in the indictment, count in the indictment, or 1837
information charging the sexually violent offense, the judge who 1838
is to impose sentence upon the offender shall conduct a hearing to 1839
determine whether the offender is a sexual predator. The judge. 1840

(c) The person committed and was adjudicated a delinquent 1841
child for committing a sexually oriented offense on or after the 1842
effective date of this amendment. 1843

(2) The court shall conduct the hearing authorized under 1844
division (B)(1) of this section prior to sentencing and, if or 1845
making an order of disposition. If the sexually oriented offense 1846
is a felony, and if the person is not adjudicated in a juvenile 1847
proceeding, the court may conduct it as part of the sentencing 1848
hearing required by section 2929.19 of the Revised Code. The court 1849
shall give the offender or delinquent child and the prosecutor who 1850
prosecuted the offender or delinquent child for the sexually 1851
oriented offense notice of the date, time, and location of the 1852

hearing. At the hearing, the offender or delinquent child and the 1853
prosecutor shall have an opportunity to testify, present evidence, 1854
call and examine witnesses and expert witnesses, and cross-examine 1855
witnesses and expert witnesses regarding the determination as to 1856
whether the offender or delinquent child is a sexual predator. The 1857
offender or delinquent child shall have the right to be 1858
represented by counsel and, if indigent, the right to have counsel 1859
appointed to represent the offender or delinquent child. 1860

~~(2)~~(3) In making a determination under divisions (B)(1) and 1862
~~(3)~~(4) of this section as to whether an offender or delinquent 1863
child is a sexual predator, the judge shall consider all relevant 1864
factors, including, but not limited to, all of the following: 1865

(a) The offender's or delinquent child's age; 1866

(b) The offender's or delinquent child's prior criminal or 1867
delinquency record regarding all offenses, including, but not 1868
limited to, all sexual offenses; 1869

(c) The age of the victim of the sexually oriented offense 1870
for which sentence is to be imposed or the order of disposition is 1871
to be made; 1872

(d) Whether the sexually oriented offense for which sentence 1873
is to be imposed or the order of disposition is to be made 1874
involved multiple victims; 1875

(e) Whether the offender or delinquent child used drugs or 1876
alcohol to impair the victim of the sexually oriented offense or 1877
to prevent the victim from resisting; 1878

(f) If the offender or delinquent child previously has been 1879
convicted of or pleaded guilty to ~~any~~, or been adjudicated a 1880
delinquent child for committing an act that if committed by an 1881
adult would be, a criminal offense, whether the offender or 1882
delinquent child completed any sentence or dispositional order 1883

imposed for the prior offense or act and, if the prior offense or 1884
act was a sex offense or a sexually oriented offense, whether the 1885
offender or delinquent child participated in available programs 1886
for sexual offenders; 1887

(g) Any mental illness or mental disability of the offender 1888
or delinquent child; 1889

(h) The nature of the offender's or delinquent child's sexual 1890
conduct, sexual contact, or interaction in a sexual context with 1891
the victim of the sexually oriented offense and whether the sexual 1892
conduct, sexual contact, or interaction in a sexual context was 1893
part of a demonstrated pattern of abuse; 1894

(i) Whether the offender or delinquent child, during the 1895
commission of the sexually oriented offense for which sentence is 1896
to be imposed or order of disposition is to be made, displayed 1897
cruelty or made one or more threats of cruelty; 1898

(j) Any additional behavioral characteristics that contribute 1899
to the offender's or delinquent child's conduct. 1900

~~(3)~~(4) After reviewing all testimony and evidence presented 1901
at the hearing conducted under division (B)(1) of this section and 1902
the factors specified in division (B)~~(2)~~(3) of this section, the 1903
~~judge court~~ shall determine by clear and convincing evidence 1904
whether the offender or delinquent child is a sexual predator. If 1905
the ~~judge court~~ determines that the offender or delinquent child 1906
is not a sexual predator, the ~~judge court~~ shall specify in the 1907
offender's sentence and the judgment of conviction that contains 1908
the sentence or the delinquent child's dispositional order, as 1909
appropriate, that the ~~judge court~~ has determined that the offender 1910
or delinquent child is not a sexual predator. If the ~~judge court~~ 1911
determines by clear and convincing evidence that the offender or 1912
delinquent child is a sexual predator, the ~~judge court~~ shall 1913
specify in the offender's sentence and the judgment of conviction 1914
that contains the sentence or the delinquent child's dispositional 1915

order, as appropriate, that the judge court has determined that 1916
the offender or delinquent child is a sexual predator and shall 1917
specify that the determination was pursuant to division (B) of 1918
this section. The offender or delinquent child and the prosecutor 1919
who prosecuted the offender or delinquent child for the sexually 1920
oriented offense in question may appeal as a matter of right the 1921
judge's court's determination under this division as to whether 1922
the offender or delinquent child is, or is not, a sexual predator. 1923

~~(4)~~(5) A hearing shall not be conducted under division (B) of 1924
this section regarding an offender or delinquent child if the 1925
sexually oriented offense in question is a sexually violent 1926
offense and the indictment, count in the indictment, ~~or,~~ 1927
information, or complaint charging the offense also included a 1928
sexually violent predator specification. 1929

(C)(1) If a person was convicted of or pleaded guilty to a 1930
sexually oriented offense prior to January 1, 1997, if the person 1931
was not sentenced for the offense on or after January 1, 1997, and 1932
if, on or after January 1, 1997, the offender is serving a term of 1933
imprisonment in a state correctional institution, the department 1934
of rehabilitation and correction shall determine whether to 1935
recommend that the offender be adjudicated as being a sexual 1936
predator. In making a determination under this division as to 1937
whether to recommend that the offender be adjudicated as being a 1938
sexual predator, the department shall consider all relevant 1939
factors, including, but not limited to, all of the factors 1940
specified in division (B)(2) of this section. If the department 1941
determines that it will recommend that the offender be adjudicated 1942
as being a sexual predator, it immediately shall send the 1943
recommendation to the court that sentenced the offender and shall 1944
enter its determination and recommendation in the offender's 1945
institutional record, and the court shall proceed in accordance 1946
with division (C)(2) of this section. 1947

(2)(a) If, pursuant to division (C)(1) of this section, the department of rehabilitation and correction sends to a court a recommendation that an offender who has been convicted of or pleaded guilty to a sexually oriented offense be adjudicated as being a sexual predator, the court is not bound by the department's recommendation, and the court may conduct a hearing to determine whether the offender is a sexual predator. The court may deny the recommendation and determine that the offender is not a sexual predator without a hearing but shall not make a determination that the offender is a sexual predator in any case without a hearing. The court may hold the hearing and make the determination prior to the offender's release from imprisonment or at any time within one year following the offender's release from that imprisonment. If the court determines without a hearing that the offender is not a sexual predator, it shall include its determination in the offender's institutional record and shall determine whether the offender previously has been convicted of or pleaded guilty to a sexually oriented offense other than the offense in relation to which the court determined that the offender is not a sexual predator.

The court may make the determination as to whether the offender previously has been convicted of or pleaded guilty to a sexually oriented offense without a hearing, but, if the court determines that the offender previously has been convicted of or pleaded guilty to such an offense, it shall not impose a requirement that the offender be subject to the community notification provisions regarding the offender's place of residence that are contained in sections 2950.10 and 2950.11 of the Revised Code without a hearing. The court may conduct a hearing to determine both whether the offender previously has been convicted of or pleaded guilty to a sexually oriented offense and whether to impose a requirement that the offender be subject to

the community notification provisions as described in this 1980
division, or may conduct a hearing solely to make the latter 1981
determination. The court shall include in the offender's 1982
institutional record any determination made under this division as 1983
to whether the offender previously has been convicted of or 1984
pleaded guilty to a sexually oriented offense, and, as such, 1985
whether the offender is a habitual sex offender. 1986

(b) If the court schedules a hearing under division (C)(2)(a) 1987
of this section, the court shall give the offender and the 1988
prosecutor who prosecuted the offender for the sexually oriented 1989
offense, or that prosecutor's successor in office, notice of the 1990
date, time, and place of the hearing. If the hearing is to 1991
determine whether the offender is a sexual predator, it shall be 1992
conducted in the manner described in division (B)(1) of this 1993
section regarding hearings conducted under that division and, in 1994
making a determination under this division as to whether the 1995
offender is a sexual predator, the court shall consider all 1996
relevant factors, including, but not limited to, all of the 1997
factors specified in division (B)(2) of this section. After 1998
reviewing all testimony and evidence presented at the sexual 1999
predator hearing and the factors specified in division (B)(2) of 2000
this section, the court shall determine by clear and convincing 2001
evidence whether the offender is a sexual predator. If the court 2002
determines that the offender is not a sexual predator, it also 2003
shall determine whether the offender previously has been convicted 2004
of or pleaded guilty to a sexually oriented offense other than the 2005
offense in relation to which the hearing is being conducted. 2006

Upon making its determinations at the hearing, the court 2007
shall proceed as follows: 2008

(i) If the hearing is to determine whether the offender is a 2009
sexual predator, and if the court determines that the offender is 2010
not a sexual predator and that the offender previously has not 2011

been convicted of or pleaded guilty to a sexually oriented offense 2012
other than the offense in relation to which the hearing is being 2013
conducted, it shall include its determinations in the offender's 2014
institutional record. 2015

(ii) If the hearing is to determine whether the offender is a 2016
sexual predator, and if the court determines that the offender is 2017
not a sexual predator but that the offender previously has been 2018
convicted of or pleaded guilty to a sexually oriented offense 2019
other than the offense in relation to which the hearing is being 2020
conducted, it shall include its determination that the offender is 2021
not a sexual predator but is a habitual sex offender in the 2022
offender's institutional record, shall attach the determinations 2023
to the offender's sentence, shall specify that the determinations 2024
were pursuant to division (C) of this section, shall provide a 2025
copy of the determinations to the offender, to the prosecuting 2026
attorney, and to the department of rehabilitation and correction, 2027
and may impose a requirement that the offender be subject to the 2028
community notification provisions regarding the offender's place 2029
of residence that are contained in sections 2950.10 and 2950.11 of 2030
the Revised Code. The offender shall not be subject to those 2031
community notification provisions relative to the sexually 2032
oriented offense in question if the court does not so impose the 2033
requirement described in this division. If the court imposes those 2034
community notification provisions, the offender may appeal the 2035
judge's determination that the offender is a habitual sex 2036
offender. 2037

(iii) If the hearing is to determine whether the offender 2038
previously has been convicted of or pleaded guilty to a sexually 2039
oriented offense other than the offense in relation to which the 2040
hearing is being conducted and whether to impose a requirement 2041
that the offender be subject to the specified community 2042
notification provisions, and if the court determines that the 2043

offender previously has been convicted of or pleaded guilty to 2044
such an offense, the court shall proceed as described in division 2045
(C)(2)(b)(ii) of this section and may impose a community 2046
notification requirement as described in that division. The 2047
offender shall not be subject to the specified community 2048
notification provisions relative to the sexually oriented offense 2049
in question if the court does not so impose the requirement 2050
described in that division. If the court imposes those community 2051
notification provisions, the offender may appeal the judge's 2052
determination that the offender is a habitual sex offender. 2053

(iv) If the court determined without a hearing that the 2054
offender previously has been convicted of or pleaded guilty to a 2055
sexually oriented offense other than the offense in relation to 2056
which the court determined that the offender is not a sexual 2057
predator, and, as such, is a habitual sex offender, and the 2058
hearing is solely to determine whether to impose a requirement 2059
that the offender be subject to the specified community 2060
notification provisions, after the hearing, the court may impose a 2061
community notification requirement as described in division 2062
(C)(2)(b)(ii) of this section. The offender shall not be subject 2063
to the specified community notification provisions relative to the 2064
sexually oriented offense in question if the court does not so 2065
impose the requirement described in that division. If the court 2066
imposes those community notification provisions, the offender may 2067
appeal the judge's determination that the offender is a habitual 2068
sex offender. 2069

(v) If the hearing is to determine whether the offender is a 2070
sexual predator, and if the court determines by clear and 2071
convincing evidence that the offender is a sexual predator, it 2072
shall enter its determination in the offender's institutional 2073
record, shall attach the determination to the offender's sentence, 2074
shall specify that the determination was pursuant to division (C) 2075

of this section, and shall provide a copy of the determination to
the offender, to the prosecuting attorney, and to the department
of rehabilitation and correction. The offender and the prosecutor
may appeal as a matter of right the judge's determination under
this division as to whether the offender is, or is not, a sexual
predator.

(D)(1) Upon the expiration of the applicable period of time
specified in division (D)(1)(a) or (b) of this section, an
offender who has been convicted of or pleaded guilty to, or a
person who has been adjudicated a delinquent child for committing,
a sexually oriented offense and who has been adjudicated as being
a sexual predator relative to the sexually oriented offense in the
manner described in division (B) or (C) of this section may
petition the judge who made the determination that the offender or
delinquent child was a sexual predator, or that judge's successor
in office, to enter a determination that the offender or
delinquent child no longer is a sexual predator. Upon the filing
of the petition, the judge may review the prior sexual predator
determination that comprises the sexually violent predator
adjudication, and, upon consideration of all relevant evidence and
information, including, but not limited to, the factors set forth
in division (B)~~(2)~~(3) of this section, either shall enter a
determination that the offender or delinquent child no longer is a
sexual predator or shall enter an order denying the petition. The
~~court~~ judge shall not enter a determination under this division
that the offender or delinquent child no longer is a sexual
predator unless the ~~court~~ judge determines by clear and convincing
evidence that the offender or delinquent child is unlikely to
commit a sexually oriented offense in the future. If the judge
enters a determination under this division that the offender or
delinquent child no longer is a sexual predator, the judge shall
notify the bureau of criminal identification and investigation and

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the parole board or the department of youth services of the 2108
determination. Upon receipt of the notification, the bureau 2109
promptly shall notify the sheriff with whom the offender or 2110
delinquent child most recently registered under section 2950.04 or 2111
2950.05 of the Revised Code of the determination that the offender 2112
or delinquent child no longer is a sexual predator. If the judge 2113
enters an order denying the petition, the prior adjudication of 2114
the offender or delinquent child as a sexual predator shall remain 2115
in effect. An offender or delinquent child determined to be a 2116
sexual predator in the manner described in division (B) or (C) of 2117
this section may file a petition under this division after the 2118
expiration of the following periods of time: 2119

(a) Regardless of when the sexually oriented offense was 2120
committed, if, on or after January 1, 1997, the offender is 2121
imprisoned or sentenced to a prison term or other confinement for 2122
the sexually oriented offense in relation to which the 2123
determination was made, the offender initially may file the 2124
petition not earlier than one year prior to the offender's release 2125
from the imprisonment, prison term, or other confinement by 2126
discharge, parole, judicial release, or any other final release. 2127
If the offender is sentenced on or after January 1, 1997, for the 2128
sexually oriented offense in relation to which the determination 2129
is made and is not imprisoned or sentenced to a prison term or 2130
other confinement for the sexually oriented offense, the offender 2131
initially may file the petition upon the expiration of one year 2132
after the entry of the offender's judgment of conviction. If the 2133
person committed and was adjudicated a delinquent child for 2134
committing the sexually oriented offense on or after the effective 2135
date of this amendment and if the person was committed to the 2136
custody of the department of youth services for the sexually 2137
oriented offense, the delinquent child initially may file the 2138
petition not earlier than one year prior to the delinquent child's 2139
discharge from that custody. If the person committed and was 2140

adjudicated a delinquent child for committing the sexually 2141
oriented offense on or after the effective date of this amendment 2142
and if the person was not committed to the custody of the 2143
department of youth services for the sexually oriented offense, 2144
the delinquent child initially may file the petition upon the 2145
expiration of one year after the entry of the delinquent child's 2146
adjudication as a delinquent child. 2147

(b) After the offender's or delinquent child's initial filing 2148
of a petition under division (D)(1)(a) of this section, 2149
thereafter, an offender or delinquent child may file a petition 2150
under this division upon the expiration of five years after the 2151
court has entered an order denying the most recent petition the 2152
offender or delinquent child has filed under this division. 2153

(2) Except as otherwise provided in this division, division 2154
(D)(1) of this section does not apply to a person who is 2155
classified as a sexual predator pursuant to division (A) of this 2156
section. If a person who is so classified was sentenced to a 2157
prison term pursuant to division (A)(3) of section 2971.03 of the 2158
Revised Code and if the sentencing court terminates the offender's 2159
prison term as provided in division (D) of section 2971.05 of the 2160
Revised Code, the court's termination of the prison term 2161
automatically shall constitute a determination by the court that 2162
the offender no longer is a sexual predator. If the court so 2163
terminates the offender's prison term, the court shall notify the 2164
bureau of criminal identification and investigation and the parole 2165
board of the determination that the offender no longer is a sexual 2166
predator. Upon receipt of the notification, the bureau promptly 2167
shall notify the sheriff with whom the offender most recently 2168
registered under section 2950.04 or 2950.05 of the Revised Code 2169
that the offender no longer is a sexual predator. If an offender 2170
who is classified as a sexual predator pursuant to division (A) of 2171
this section is released from prison pursuant to a pardon or 2172

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commutation, the classification of the offender as a sexual
predator shall remain in effect after the offender's release, and
the offender may file one or more petitions in accordance with the
procedures and time limitations contained in division (D)(1) of
this section for a determination that the offender no longer is a
sexual predator.

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(E) If a person is convicted of or pleads guilty to
committing, on or after January 1, 1997, a sexually oriented
offense or if a person commits and is adjudicated a delinquent
child for committing a sexually oriented offense on or after the
effective date of this amendment, the judge who is to impose
sentence on the offender or who adjudicated the person a
delinquent child shall determine, prior to sentencing or entering
an order of disposition, whether the offender or delinquent child
previously has been convicted of or, pleaded guilty to, or been
adjudicated a delinquent child for committing, a sexually oriented
offense. If the judge determines that the offender or delinquent
child previously has not been convicted of or, pleaded guilty to,
or been adjudicated a delinquent child for committing, a sexually
oriented offense, the judge shall specify in the offender's
sentence or the delinquent child's dispositional order that the
judge has determined that the offender or delinquent child is not
a habitual sex offender. If the judge determines that the offender
or delinquent child previously has been convicted of or, pleaded
guilty to, or been adjudicated a delinquent child for committing,
a sexually oriented offense, the judge shall specify in the
offender's sentence and the judgment of conviction that contains
the sentence or the delinquent child's dispositional order that
the judge has determined that the offender or delinquent child is
a habitual sex offender and may impose a requirement in that
sentence and judgment of conviction or in that dispositional order
that the offender or delinquent child be subject to the community

notification provisions regarding the offender's or delinquent 2205
child's place of residence that are contained in sections 2950.10 2206
and 2950.11 of the Revised Code. Unless the habitual sex offender 2207
also has been adjudicated as being a sexual predator relative to 2208
the sexually oriented offense in question, the offender or 2209
delinquent child shall ~~not~~ be subject to those community 2210
notification provisions only if the court ~~does not impose~~ imposes 2211
the requirement described in this division in the offender's 2212
sentence and the judgment of conviction or in the delinquent 2213
child's dispositional order. 2214

(F)(1) An offender or delinquent child classified as a sexual 2215
predator may petition the court of common pleas of the county in 2216
which the offender or delinquent child resides or temporarily is 2217
domiciled to enter a determination that the offender or delinquent 2218
child is not an adjudicated sexual predator in this state for 2219
purposes of the sex offender registration requirements of this 2220
chapter or the community notification provisions contained in 2221
sections 2950.10 and 2950.11 of the Revised Code if all of the 2222
following apply: 2223

(a) The offender or delinquent child was convicted of ~~or,~~ 2224
pleaded guilty to, or was adjudicated a delinquent child for 2225
committing, a sexually oriented offense in another state or in a 2226
federal court, a military court, or an Indian tribal court. 2227

(b) As a result of the conviction ~~or,~~ plea of guilty, or 2228
adjudication described in division (F)(1)(a) of this section, the 2229
offender or delinquent child is required under the law of the 2230
jurisdiction under which the offender or delinquent child was 2231
convicted ~~or,~~ pleaded guilty, or was adjudicated to register as a 2232
sex offender until the offender's or delinquent child's death and 2233
is required to verify the offender's or delinquent child's address 2234
on at least a quarterly basis each year. 2235

(c) The offender or delinquent child was automatically 2236

classified as a sexual predator under division (A) of this section 2237
in relation to the conviction ~~or~~, guilty plea, or adjudication 2238
described in division (F)(1)(a) of this section. 2239

(2) The court may enter a determination that the offender or 2240
delinquent child filing the petition described in division (F)(1) 2241
of this section is not an adjudicated sexual predator in this 2242
state for purposes of the sex offender registration requirements 2243
of this chapter or the community notification provisions contained 2244
in sections 2950.10 and 2950.11 of the Revised Code only if the 2245
offender or delinquent child proves by clear and convincing 2246
evidence that the requirement of the other jurisdiction that the 2247
offender or delinquent child register as a sex offender until the 2248
offender's or delinquent child's death and the requirement that 2249
the offender or delinquent child verify the offender's or 2250
delinquent child's address on at least a quarterly basis each year 2251
is not substantially similar to a classification as a sexual 2252
predator for purposes of this chapter. 2253

Sec. 2950.10. (A)(1) If a person is convicted of or pleads 2254
guilty to, ~~or~~ has been convicted of or pleaded guilty to, or is 2255
adjudicated a delinquent child for committing, a sexually oriented 2256
offense, if the offender or delinquent child has been adjudicated 2257
as being a sexual predator relative to the sexually oriented 2258
offense, and the court has not subsequently determined pursuant to 2259
division (D) of section 2950.09 of the Revised Code that the 2260
offender or delinquent child no longer is a sexual predator or the 2261
offender or delinquent child has been determined pursuant to 2262
division (C)(2) or (E) of section 2950.09 of the Revised Code to 2263
be a habitual sex offender and the court has imposed a requirement 2264
under that division subjecting the habitual sex offender to this 2265
section, if the offender or delinquent child registers with a 2266
sheriff pursuant to section 2950.04 or 2950.05 of the Revised 2267
Code, and if the victim of the sexually oriented offense has made 2268

a request in accordance with rules adopted by the attorney general 2269
that specifies that the victim would like to be provided the 2270
notices described in this section, the sheriff shall notify the 2271
victim of the sexually oriented offense, in writing, that the 2272
offender or delinquent child has registered and shall include in 2273
the notice the offender's or delinquent child's name and residence 2274
address or addresses. The sheriff shall provide the notice 2275
required by this division to the victim at the most recent 2276
residence address available for that victim, not later than 2277
seventy-two hours after the offender or delinquent child registers 2278
with the sheriff. 2279

(2) If a person is convicted of ~~or~~ pleads guilty to ~~or~~ has 2280
been convicted of or pleaded guilty to, or is adjudicated a 2281
delinquent child for committing, a sexually oriented offense, if 2282
the offender or delinquent child has been adjudicated as being a 2283
sexual predator relative to the sexually oriented offense or 2284
sexually violent offense and the court has not subsequently 2285
determined pursuant to division (D) of section 2950.09 of the 2286
Revised Code that the offender or delinquent child no longer is a 2287
sexual predator or the offender has been determined pursuant to 2288
division (E) of section 2950.09 of the Revised Code to be a 2289
habitual sex offender and the court has imposed a requirement 2290
under that division subjecting the habitual sex offender to this 2291
section, if the offender or delinquent child registers with a 2292
sheriff pursuant to section 2950.04 or 2950.05 of the Revised 2293
Code, if the victim of the sexually oriented offense has made a 2294
request in accordance with rules adopted by the attorney general 2295
that specifies that the victim would like to be provided the 2296
notices described in this section, and if the offender or 2297
delinquent child notifies the sheriff of a change of residence 2298
address pursuant to section 2950.05 of the Revised Code, the 2299
sheriff shall notify the victim of the sexually oriented offense, 2300

in writing, that the offender's or delinquent child's residence 2301
address has changed and shall include in the notice the offender's 2302
or delinquent child's name and new residence address or addresses. 2303
The sheriff shall provide the notice required by this division to 2304
the victim at the most recent residence address available for that 2305
victim, no later than seventy-two hours after the offender or 2306
delinquent child notifies the sheriff of the change in the 2307
offender's or delinquent child's residence address. 2308

(3) If an offender is convicted of or pleads guilty to, or 2309
has been convicted of or pleaded guilty to, or a person is 2310
adjudicated a delinquent child for committing, a sexually oriented 2311
offense and if the offender or delinquent child is adjudicated as 2312
being a sexual predator relative to the sexually oriented offense 2313
or the offender or delinquent child is determined pursuant to 2314
division (E) of section 2950.09 of the Revised Code to be a 2315
habitual sex offender and is made subject to this section, the 2316
victim of the offense may make a request in accordance with rules 2317
adopted by the attorney general pursuant to section 2950.13 of the 2318
Revised Code that specifies that the victim would like to be 2319
provided the notices described in divisions (A)(1) and (2) of this 2320
section. If the victim makes a request in accordance with those 2321
rules, the sheriff described in divisions (A)(1) and (2) of this 2322
section shall provide the victim with the notices described in 2323
those divisions. 2324

(4) If a victim makes a request as described in division 2325
(A)(3) of this section that specifies that the victim would like 2326
to be provided the notices described in divisions (A)(1) and (2) 2327
of this section, all information a sheriff obtains regarding the 2328
victim from or as a result of the request is confidential, and the 2329
information is not a public record open for inspection under 2330
section 149.43 of the Revised Code. 2331

(5) The notices described in divisions (A)(1) and (2) of this 2332

section are in addition to any notices regarding the offender or 2333
delinquent child that the victim is entitled to receive under 2334
Chapter 2930. of the Revised Code. 2335

(B) A victim of a sexually oriented offense is not entitled 2336
to be provided any notice described in division (A)(1) or (2) of 2337
this section unless the offender or delinquent child is 2338
adjudicated as being a sexual predator relative to the sexually 2339
oriented offense and the court has not subsequently determined 2340
pursuant to division (E) of section 2950.09 of the Revised Code 2341
that the offender or delinquent child no longer is a sexual 2342
predator or the offender or delinquent child has been determined 2343
pursuant to division (E) of section 2950.09 of the Revised Code to 2344
be a habitual sex offender and the court has imposed a requirement 2345
under that division subjecting the habitual sex offender to this 2346
section. A victim of a sexually oriented offense is not entitled 2347
to any notice described in division (A)(1) or (2) of this section 2348
unless the victim makes a request in accordance with rules adopted 2349
by the attorney general pursuant to section 2950.13 of the Revised 2350
Code that specifies that the victim would like to be provided the 2351
notices described in divisions (A)(1) and (2) of this section. 2352
This division does not affect any rights of a victim of a sexually 2353
oriented offense to be provided notice regarding an offender or 2354
delinquent child that are described in Chapter 2950. of the 2355
Revised Code. 2356

Sec. 2950.11. (A) As used in this section, "specified 2357
geographical notification area" means the geographic area or areas 2358
within which the attorney general, by rule adopted under section 2359
2950.13 of the Revised Code, requires the notice described in 2360
division (B) of this section to be given to the persons identified 2361
in divisions (A)(2) to (8) of this section. If a person is 2362
convicted of or pleads guilty to, ~~or~~ has been convicted of or 2363
pleaded guilty to, or is adjudicated a delinquent child for 2364

committing, a sexually oriented offense, and if the offender or 2365
delinquent child has been adjudicated as being a sexual predator 2366
relative to the sexually oriented offense and the court has not 2367
subsequently determined pursuant to division (D) of section 2368
2950.09 of the Revised Code that the offender or delinquent child 2369
no longer is a sexual predator or the offender or delinquent child 2370
has been determined pursuant to division (C)(2) or (E) of section 2371
2950.09 of the Revised Code to be a habitual sex offender and the 2372
court has imposed a requirement under that division subjecting the 2373
habitual sex offender to this section, the sheriff with whom the 2374
offender or delinquent child has most recently registered under 2375
section 2950.04 or 2950.05 of the Revised Code, within the period 2376
of time specified in division (C) of this section, shall provide a 2377
written notice containing the information set forth in division 2378
(B) of this section to all of the following persons: 2379

(1) All occupants of residences adjacent to the offender's or 2380
delinquent child's place of residence that are located within the 2381
county served by the sheriff and all additional neighbors of the 2382
offender or delinquent child who are within any category that the 2383
attorney general by rule adopted under section 2950.13 of the 2384
Revised Code requires to be provided the notice and who reside 2385
within the county served by the sheriff; 2386

(2) The executive director of the public children services 2387
agency that has jurisdiction within the specified geographical 2388
notification area and that is located within the county served by 2389
the sheriff; 2390

(3)(a) The superintendent of each board of education of a 2391
school district that has schools within the specified geographical 2392
notification area and that is located within the county served by 2393
the sheriff; 2394

(b) The principal of the school within the specified 2395

geographical notification area and within the county served by the 2396
sheriff that the delinquent child attends; 2397

(c) If the delinquent child attends a school outside of the 2398
specified geographical notification area or outside of the school 2399
district where the delinquent child resides, the superintendent of 2400
the board of education of a school district that governs the 2401
school that the delinquent child attends and the principal of the 2402
school that the delinquent child attends. 2403

(4)(a) The appointing or hiring officer of each chartered 2404
nonpublic school located within the specified geographical 2405
notification area and within the county served by the sheriff or 2406
of each other school located within the specified geographical 2407
notification area and within the county served by the sheriff and 2408
that is not operated by a board of education described in division 2409
(A)(3) of this section; 2410

(b) Regardless of the location of the school, the appointing 2411
or hiring officer of a chartered nonpublic school that the 2412
delinquent child attends. 2413

(5) The director, head teacher, elementary principal, or site 2414
administrator of each preschool program governed by Chapter 3301. 2415
of the Revised Code that is located within the specified 2416
geographical notification area and within the county served by the 2417
sheriff; 2418

(6) The administrator of each child day-care center or type A 2419
family day-care home that is located within the specified 2420
geographical notification area and within the county served by the 2421
sheriff, and the provider of each certified type B family day-care 2422
home that is located within the specified geographical 2423
notification area and within the county served by the sheriff. As 2424
used in this division, "child day-care center," "type A family 2425
day-care home," and "certified type B family day-care home" have 2426

the same meanings as in section 5104.01 of the Revised Code. 2427

(7) The president or other chief administrative officer of 2428
each institution of higher education, as defined in section 2429
2907.03 of the Revised Code, that is located within the specified 2430
geographical notification area and within the county served by the 2431
sheriff, and the chief law enforcement officer of the state 2432
university law enforcement agency or campus police department 2433
established under section 3345.04 or 1713.50 of the Revised Code, 2434
if any, that serves that institution; 2435

(8) The sheriff of each county that includes any portion of 2436
the specified geographical notification area; 2437

(9) If the offender or delinquent child resides within the 2438
county served by the sheriff, the chief of police, marshal, or 2439
other chief law enforcement officer of the municipal corporation 2440
in which the offender or delinquent child resides or, if the 2441
offender or delinquent child resides in an unincorporated area, 2442
the constable or chief of the police department or police district 2443
police force of the township in which the offender or delinquent 2444
child resides. 2445

(B) The notice required under division (A) of this section 2446
shall include all of the following information regarding the 2447
subject offender or delinquent child: 2448

(1) The offender's or delinquent child's name; 2449

(2) The address or addresses at which the offender or 2450
delinquent child resides; 2451

(3) The sexually oriented offense of which the offender was 2452
convicted ~~or~~, to which the offender pleaded guilty, or for which 2453
the child was adjudicated a delinquent child; 2454

(4) A statement that the offender or delinquent child has 2455
been adjudicated as being a sexual predator and that, as of the 2456

date of the notice, the court has not entered a determination that 2457
the offender or delinquent child no longer is a sexual predator, 2458
or a statement that the sentencing or reviewing judge has 2459
determined that the offender or delinquent child is a habitual sex 2460
offender. 2461

(C) If a sheriff with whom an offender or delinquent child 2462
registers under section 2950.04 or 2950.05 of the Revised Code is 2463
required by division (A) of this section to provide notices 2464
regarding an offender or delinquent child and if, pursuant to that 2465
requirement, the sheriff provides a notice to a sheriff of one or 2466
more other counties in accordance with division (A)(8) of this 2467
section, the sheriff of each of the other counties who is provided 2468
notice under division (A)(8) of this section shall provide the 2469
notices described in divisions (A)(1) to (7) and (A)(9) of this 2470
section to each person or entity identified within those divisions 2471
that is located within the geographical notification area and 2472
within the county served by the sheriff in question. 2473

(D)(1) A sheriff required by division (A) or (C) of this 2474
section to provide notices regarding an offender or delinquent 2475
child shall provide the notice to the neighbors that is described 2476
in division (A)(1) of this section and the notices to law 2477
enforcement personnel that are described in divisions (A)(8) and 2478
(9) of this section no later than seventy-two hours after the 2479
offender or delinquent child registers with the sheriff or, if the 2480
sheriff is required by division (C) to provide the notices, no 2481
later than seventy-two hours after the sheriff is provided the 2482
notice described in division (A)(8) of this section. 2483

A sheriff required by division (A) or (C) of this section to 2484
provide notices regarding an offender or delinquent child shall 2485
provide the notices to all other specified persons that are 2486
described in divisions (A)(2) to (7) of this section not later 2487
than seven days after the offender or delinquent child registers 2488

with the sheriff, if the sheriff is required by division (C) to 2489
provide the notices, no later than seventy-two hours after the 2490
sheriff is provided the notice described in division (A)(8) of 2491
this section. 2492

(2) If an offender or delinquent child in relation to whom 2493
division (A) of this section applies verifies the offender's or 2494
delinquent child's current residence address with a sheriff 2495
pursuant to section 2950.06 of the Revised Code, the sheriff may 2496
provide a written notice containing the information set forth in 2497
division (B) of this section to the persons identified in 2498
divisions (A)(1) to (9) of this section. If a sheriff provides a 2499
notice pursuant to this division to the sheriff of one or more 2500
other counties in accordance with division (A)(8) of this section, 2501
the sheriff of each of the other counties who is provided the 2502
notice under division (A)(8) of this section may provide, but is 2503
not required to provide, a written notice containing the 2504
information set forth in division (B) of this section to the 2505
persons identified in divisions (A)(1) to (7) and (A)(9) of this 2506
section. 2507

(E) All information that a sheriff possesses regarding a 2508
sexual predator or a habitual sex offender that is described in 2509
division (B) of this section and that must be provided in a notice 2510
required under division (A) or (C) of this section or that may be 2511
provided in a notice authorized under division (D)(2) of this 2512
section is a public record that is open to inspection under 2513
section 149.43 of the Revised Code. 2514

(F) The notification provisions of this section do not apply 2515
regarding a person who is convicted of or pleads guilty to, or has 2516
been convicted of or pleaded guilty to, a sexually oriented 2517
offense, who has not been adjudicated as being a sexual predator 2518
relative to that sexually oriented offense, and who is determined 2519
pursuant to division (C)(2) or (E) of section 2950.09 of the 2520

Revised Code to be a habitual sex offender unless the sentencing
or reviewing court imposes a requirement in the offender's
sentence and in the judgment of conviction that contains the
sentence or in the delinquent child's adjudication, or imposes a
requirement as described in division (C)(2) of section 2950.09 of
the Revised Code, that subjects the offender or the delinquent
child to the provisions of this section.

(G) The department of job and family services shall compile,
maintain, and update in January and July of each year, a list of
all agencies, centers, or homes of a type described in division
(A)(2) or (6) of this section that contains the name of each
agency, center, or home of that type, the county in which it is
located, its address and telephone number, and the name of an
administrative officer or employee of the agency, center, or home.
The department of education shall compile, maintain, and update in
January and July of each year, a list of all boards of education,
schools, or programs of a type described in division (A)(3), (4),
or (5) of this section that contains the name of each board of
education, school, or program of that type, the county in which it
is located, its address and telephone number, the name of the
superintendent of the board or of an administrative officer or
employee of the school or program, and, in relation to a board of
education, the county or counties in which each of its schools is
located and the address of each such school. The Ohio board of
regents shall compile, maintain, and update in January and July of
each year, a list of all institutions of a type described in
division (A)(7) of this section that contains the name of each
such institution, the county in which it is located, its address
and telephone number, and the name of its president or other chief
administrative officer. A sheriff required by division (A) or (C)
of this section, or authorized by division (D)(2) of this section,
to provide notices regarding an offender or delinquent child, or a

designee of a sheriff of that type, may request the department of 2553
job and family services, department of education, or Ohio board of 2554
regents, by telephone, in person, or by mail, to provide the 2555
sheriff or designee with the names, addresses, and telephone 2556
numbers of the appropriate persons and entities to whom the 2557
notices described in divisions (A)(2) to (7) of this section are 2558
to be provided. Upon receipt of a request, the department or board 2559
shall provide the requesting sheriff or designee with the names, 2560
addresses, and telephone numbers of the appropriate persons and 2561
entities to whom those notices are to be provided. 2562

Sec. 2950.12. (A) Except as provided in division (B) of this 2563
section, any of the following persons shall be immune from 2564
liability in a civil action to recover damages for injury, death, 2565
or loss to person or property allegedly caused by an act or 2566
omission in connection with a power, duty, responsibility, or 2567
authorization under this chapter or under rules adopted under 2568
authority of this chapter: 2569

(1) An officer or employee of the bureau of criminal 2570
identification and investigation; 2571

(2) The attorney general, a chief of police, marshal, or 2572
other chief law enforcement officer of a municipal corporation, a 2573
sheriff, a constable or chief of police of a township police 2574
department or police district police force, and a deputy, officer, 2575
or employee of the office of the attorney general, the law 2576
enforcement agency served by the marshal or the municipal or 2577
township chief, the office of the sheriff, or the constable; 2578

(3) A prosecutor and an officer or employee of the office of 2579
a prosecutor; 2580

(4) A supervising officer and an officer or employee of the 2581
adult parole authority of the department of rehabilitation and 2582
correction; 2583

(5) A supervising officer and an officer or employee of the department of youth services; 2584
2585

(6) A person identified in division (A)(2), (3), (4), (5), 2586
(6), or (7) of section 2950.11 of the Revised Code or the agent of 2587
that person. 2588

(B) The immunity described in division (A) of this section 2589
does not apply to a person described in divisions (A)(1) to ~~(5)~~(6) 2590
of this section if, in relation to the act or omission in 2591
question, any of the following applies: 2592

(1) The act or omission was manifestly outside the scope of 2593
the person's employment or official responsibilities. 2594

(2) The act or omission was with malicious purpose, in bad 2595
faith, or in a wanton or reckless manner. 2596

(3) Liability for the act or omission is expressly imposed by 2597
a section of the Revised Code. 2598

Sec. 2950.13. (A) The attorney general shall do all of the 2599
following: 2600

(1) No later than July 1, 1997, establish and maintain a 2601
state registry of sex offenders that is housed at the bureau of 2602
criminal identification and investigation and that contains all of 2603
the registration, change of residence address, and verification 2604
information the bureau receives pursuant to sections 2950.04, 2605
2950.05, and 2950.06 of the Revised Code regarding a person who is 2606
convicted of or pleads guilty to, ~~or~~ has been convicted of or 2607
pleaded guilty to, or is adjudicated a delinquent child for 2608
committing, a sexually oriented offense and all of the information 2609
the bureau receives pursuant to section 2950.14 of the Revised 2610
Code; 2611

(2) In consultation with local law enforcement 2612
representatives and no later than July 1, 1997, adopt rules that 2613

contain guidelines necessary for the implementation of this 2614
chapter; 2615

(3) In consultation with local law enforcement 2616
representatives and no later than July 1, 1997, adopt rules for 2617
the implementation and administration of the provisions contained 2618
in section 2950.11 of the Revised Code that pertain to the 2619
notification of neighbors of a person who has committed a sexually 2620
oriented offense and has been adjudicated as being a sexually 2621
violent predator or determined to be a habitual sex offender, and 2622
rules that prescribe a manner in which victims of a sexually 2623
oriented offense committed by a person who has been adjudicated as 2624
being a sexual predator or determined to be a habitual sex 2625
offender may make a request that specifies that the victim would 2626
like to be provided the notices described in divisions (A)(1) and 2627
(2) of section 2950.10 of the Revised Code; 2628

(4) In consultation with local law enforcement 2629
representatives and through the bureau of criminal identification 2630
and investigation, prescribe the forms to be used by judges and 2631
officials pursuant to section 2950.03 of the Revised Code to 2632
advise offenders of their duties of registration, notification of 2633
a change of residence address and registration of the new 2634
residence address, and residence address verification under 2635
sections 2950.04, 2950.05, and 2950.06 of the Revised Code, and 2636
prescribe the forms to be used by sheriffs relative to those 2637
duties of registration, change of residence address notification, 2638
and residence address verification; 2639

(5) Make copies of the forms prescribed under division 2640
~~(D)~~(A)(4) of this section available to judges, officials, and 2641
sheriffs; 2642

(6) Through the bureau of criminal identification and 2643
investigation, provide the notifications, the information, and the 2644
documents that the bureau is required to provide to appropriate 2645

law enforcement officials and to the federal bureau of 2646
investigation pursuant to sections 2950.04, 2950.05, and 2950.06 2647
of the Revised Code; 2648

(7) Through the bureau of criminal identification and 2649
investigation, maintain the verification forms returned under the 2650
residence address verification mechanism set forth in section 2651
2950.06 of the Revised Code; 2652

(8) In consultation with representatives of the officials, 2653
judges, and sheriffs, adopt procedures for officials, judges, and 2654
sheriffs to use to forward information, photographs, and 2655
fingerprints to the bureau of criminal identification and 2656
investigation pursuant to the requirements of sections 2950.03, 2657
2950.04, 2950.05, and 2950.06 of the Revised Code; 2658

(9) In consultation with the director of education, the 2659
director of job and family services, and the director of 2660
rehabilitation and correction and no later than July 1, 1997, 2661
adopt rules that contain guidelines to be followed by boards of 2662
education of a school district, chartered nonpublic schools or 2663
other schools not operated by a board of education, preschool 2664
programs, child day-care centers, type A family day-care homes, 2665
certified type B family day-care homes, and institutions of higher 2666
education regarding the proper use and administration of 2667
information received pursuant to section 2950.11 of the Revised 2668
Code relative to a person who has been adjudicated as being a 2669
sexual predator or determined to be a habitual sex offender; 2670

(10) In consultation with local law enforcement 2671
representatives and no later than July 1, 1997, adopt rules that 2672
designate a geographic area or areas within which the notice 2673
described in division (B) of section 2950.11 of the Revised Code 2674
must be given to the persons identified in divisions (A)(2) to (8) 2675
of that section. 2676

(B) The attorney general, in consultation with local law enforcement representatives, may adopt rules that establish one or more categories of neighbors of an offender who, in addition to the occupants of residences adjacent to an offender's place of residence, must be given the notice described in division (B) of section 2950.11 of the Revised Code.

(C) As used in this section, "local law enforcement representatives" means representatives of the sheriffs of this state, representatives of the municipal chiefs of police and marshals of this state, and representatives of the township constables and chiefs of police of the township police departments or police district police forces of this state.

Sec. 2950.14. (A) Prior to releasing an offender who is under the custody and control of the department of rehabilitation and correction and who has been convicted of or pleaded guilty to committing, either prior to, on, or after January 1, 1997, any sexually oriented offense, the department of rehabilitation and correction shall provide all of the ~~following~~ information described in division (B) of this section to the bureau of criminal identification and investigation regarding the offender. Prior to releasing a delinquent child who is in the custody of the department of youth services and who has committed and has been adjudicated a delinquent child for committing a sexually oriented offense on or after the effective date of this amendment, the department of youth services shall provide all of the information described in division (B) of this section to the bureau of criminal identification and investigation regarding the delinquent child.

(B) The department of rehabilitation and correction and the department of youth services shall provide all of the following information to the bureau of criminal identification and

investigation regarding an offender or delinquent child described 2708
in division (A) of this section: 2709

(1) The offender's or delinquent child's name and any aliases 2710
used by the offender or delinquent child; 2711

(2) All identifying factors concerning the offender or 2712
delinquent child; 2713

(3) The offender's or delinquent child's anticipated future 2714
residence; 2715

(4) The offense and delinquency history of the offender or 2716
delinquent child; 2717

(5) Whether the offender or delinquent child was treated for 2718
a mental abnormality or personality disorder while under the 2719
custody and control of the department; 2720

(6) Any other information that the bureau indicates is 2721
relevant and that the department possesses. 2722

~~(B)~~(C) Upon receipt of the information described in division 2723
~~(A)~~(B) of this section regarding an offender or delinquent child, 2724
the bureau immediately shall enter the information into the state 2725
registry of sexual offenders that the bureau maintains pursuant to 2726
section 2950.13 of the Revised Code and into the records that the 2727
bureau maintains pursuant to division (A) of section 109.57 of the 2728
Revised Code. 2729

Sec. 2950.99. Whoever violates a prohibition in section 2730
2950.04, 2950.05, or 2950.06 of the Revised Code is guilty of a 2731
felony of the fifth degree if the most serious sexually oriented 2732
offense that was the basis of the registration, change of address 2733
notification, or address verification requirement that was 2734
violated under the prohibition is a felony if committed by an 2735
adult, and a misdemeanor of the first degree if the most serious 2736
sexually oriented offense that was the basis of the registration, 2737

change of address notification, or address verification 2738
requirement that was violated under the prohibition is a 2739
misdemeanor if committed by an adult. In addition to any penalty 2740
or sanction imposed for the violation, if the offender or 2741
delinquent child is on probation or parole, is subject to one or 2742
more post-release control sanctions, or is subject to any other 2743
type of supervised release at the time of the violation, the 2744
violation shall constitute a violation of the terms and conditions 2745
of the probation, parole, post-release control sanction, or other 2746
type of supervised release. 2747

Section 2. That existing sections 109.42, 2151.355, 2950.01, 2748
2950.02, 2950.03, 2950.04, 2950.05, 2950.06, 2950.07, 2950.09, 2749
2950.10, 2950.11, 2950.12, 2950.13, 2950.14, and 2950.99 of the 2750
Revised Code are hereby repealed. 2751