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124th General Assembly

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Am. Sub. S. B. No. 3

**SENATORS Hottinger, Johnson, Randy Gardner, Spada, Harris, Armbruster,
Jordan, Carnes, Amstutz, Jacobson, Mumper**

**REPRESENTATIVES Latta, Faber, Reidelbach, Hughes, Seitz,
Womer Benjamin, Flowers, Clancy, Schneider, Roman, Hagan, Buehrer,
Evans, Aslanides, Coates, Collier, G. Smith, Schaffer, Young, Reinhard,
Widowfield, Manning, Seaver, DeWine, Husted, Goodman, R. Miller, Metzger,
Hoops, Salerno, Fessler, White, Cates**

A B I L L

To amend sections 2151.23, 2152.02, 2152.19, 2152.22, 1
2919.24, 2950.01, 2950.02, 2950.03, 2950.04, 2
2950.05, 2950.06, 2950.07, 2950.09, 2950.10, 3
2950.11, 2950.12, 2950.13, 2950.14, 2950.99, and 4
5139.13 and to enact sections 2152.191, 2152.82, 5
2152.83, 2152.84, 2152.85, and 2950.081 of the 6
Revised Code to apply the Sex Offender Registration 7
and Notification Law to persons adjudicated 8
delinquent children for committing a sexually 9
oriented offense while 14 years of age or older and 10
to clarify that sex offender registration 11
information held by a county sheriff is a public 12
record. 13

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

Section 1. That sections 2151.23, 2152.02, 2152.19, 2152.22, 14
2919.24, 2950.01, 2950.02, 2950.03, 2950.04, 2950.05, 2950.06, 15

2950.07, 2950.09, 2950.10, 2950.11, 2950.12, 2950.13, 2950.14, 16
2950.99, and 5139.13 be amended and sections 2152.191, 2152.82, 17
2152.83, 2152.84, 2152.85, and 2950.081 of the Revised Code be 18
enacted to read as follows: 19

Sec. 2151.23. (A) The juvenile court has exclusive original 20
jurisdiction under the Revised Code as follows: 21

(1) Concerning any child who on or about the date specified 22
in the complaint, indictment, or information is alleged to have 23
violated section 2151.87 of the Revised Code or an order issued 24
under that section or to be a juvenile traffic offender or a 25
delinquent, unruly, abused, neglected, or dependent child and, 26
based on and in relation to the allegation pertaining to the 27
child, concerning the parent, guardian, or other person having 28
care of a child who is alleged to be an unruly or delinquent child 29
for being an habitual or chronic truant; 30

(2) Subject to division (V) of section 2301.03 of the Revised 31
Code, to determine the custody of any child not a ward of another 32
court of this state; 33

(3) To hear and determine any application for a writ of 34
habeas corpus involving the custody of a child; 35

(4) To exercise the powers and jurisdiction given the probate 36
division of the court of common pleas in Chapter 5122. of the 37
Revised Code, if the court has probable cause to believe that a 38
child otherwise within the jurisdiction of the court is a mentally 39
ill person subject to hospitalization by court order, as defined 40
in section 5122.01 of the Revised Code; 41

(5) To hear and determine all criminal cases charging adults 42
with the violation of any section of this chapter; 43

(6) To hear and determine all criminal cases in which an 44
adult is charged with a violation of division (C) of section 45

2919.21, division (B)(1) of section 2919.22, section 2919.222,
division (B) of section 2919.23, or section 2919.24 of the Revised
Code, provided the charge is not included in an indictment that
also charges the alleged adult offender with the commission of a
felony arising out of the same actions that are the basis of the
alleged violation of division (C) of section 2919.21, division
(B)(1) of section 2919.22, section 2919.222, division (B) of
section 2919.23, or section 2919.24 of the Revised Code;

(7) Under the interstate compact on juveniles in section
2151.56 of the Revised Code;

(8) Concerning any child who is to be taken into custody
pursuant to section 2151.31 of the Revised Code, upon being
notified of the intent to take the child into custody and the
reasons for taking the child into custody;

(9) To hear and determine requests for the extension of
temporary custody agreements, and requests for court approval of
permanent custody agreements, that are filed pursuant to section
5103.15 of the Revised Code;

(10) To hear and determine applications for consent to marry
pursuant to section 3101.04 of the Revised Code;

(11) Subject to division (V) of section 2301.03 of the
Revised Code, to hear and determine a request for an order for the
support of any child if the request is not ancillary to an action
for divorce, dissolution of marriage, annulment, or legal
separation, a criminal or civil action involving an allegation of
domestic violence, or an action for support brought under Chapter
3115. of the Revised Code;

(12) Concerning an action commenced under section 121.38 of
the Revised Code;

(13) To hear and determine violations of section 3321.38 of
the Revised Code;

(14) To exercise jurisdiction and authority over the parent, guardian, or other person having care of a child alleged to be a delinquent child, unruly child, or juvenile traffic offender, based on and in relation to the allegation pertaining to the child;

(15) To conduct the hearings, and to make the determinations, adjudications, and orders authorized or required under sections 2152.82 to 2152.85 and Chapter 2950. of the Revised Code regarding a child who has been adjudicated a delinquent child and to refer the duties conferred upon the juvenile court judge under sections 2152.82 to 2152.85 and Chapter 2950. of the Revised Code to magistrates appointed by the juvenile court judge in accordance with Juvenile Rule 40.

(B) Except as provided in division (I) of section 2301.03 of the Revised Code, the juvenile court has original jurisdiction under the Revised Code:

(1) To hear and determine all cases of misdemeanors charging adults with any act or omission with respect to any child, which act or omission is a violation of any state law or any municipal ordinance;

(2) To determine the paternity of any child alleged to have been born out of wedlock pursuant to sections 3111.01 to 3111.18 of the Revised Code;

(3) Under the uniform interstate family support act in Chapter 3115. of the Revised Code;

(4) To hear and determine an application for an order for the support of any child, if the child is not a ward of another court of this state;

(5) To hear and determine an action commenced under section 3111.28 of the Revised Code;

(6) To hear and determine a motion filed under section 107
3119.961 of the Revised Code. 108

(C) The juvenile court, except as to juvenile courts that are 109
a separate division of the court of common pleas or a separate and 110
independent juvenile court, has jurisdiction to hear, determine, 111
and make a record of any action for divorce or legal separation 112
that involves the custody or care of children and that is filed in 113
the court of common pleas and certified by the court of common 114
pleas with all the papers filed in the action to the juvenile 115
court for trial, provided that no certification of that nature 116
shall be made to any juvenile court unless the consent of the 117
juvenile judge first is obtained. After a certification of that 118
nature is made and consent is obtained, the juvenile court shall 119
proceed as if the action originally had been begun in that court, 120
except as to awards for spousal support or support due and unpaid 121
at the time of certification, over which the juvenile court has no 122
jurisdiction. 123

(D) The juvenile court, except as provided in division (I) of 124
section 2301.03 of the Revised Code, has jurisdiction to hear and 125
determine all matters as to custody and support of children duly 126
certified by the court of common pleas to the juvenile court after 127
a divorce decree has been granted, including jurisdiction to 128
modify the judgment and decree of the court of common pleas as the 129
same relate to the custody and support of children. 130

(E) The juvenile court, except as provided in division (I) of 131
section 2301.03 of the Revised Code, has jurisdiction to hear and 132
determine the case of any child certified to the court by any 133
court of competent jurisdiction if the child comes within the 134
jurisdiction of the juvenile court as defined by this section. 135

(F)(1) The juvenile court shall exercise its jurisdiction in 136
child custody matters in accordance with sections 3109.04, 3109.21 137
to 3109.36, and 5103.20 to 5103.28 of the Revised Code. 138

(2) The juvenile court shall exercise its jurisdiction in 139
child support matters in accordance with section 3109.05 of the 140
Revised Code. 141

(G) Any juvenile court that makes or modifies an order for 142
child support shall comply with Chapters 3119., 3121., 3123., and 143
3125. of the Revised Code. If any person required to pay child 144
support under an order made by a juvenile court on or after April 145
15, 1985, or modified on or after December 1, 1986, is found in 146
contempt of court for failure to make support payments under the 147
order, the court that makes the finding, in addition to any other 148
penalty or remedy imposed, shall assess all court costs arising 149
out of the contempt proceeding against the person and require the 150
person to pay any reasonable attorney's fees of any adverse party, 151
as determined by the court, that arose in relation to the act of 152
contempt. 153

(H) If a child who is charged with an act that would be an 154
offense if committed by an adult was fourteen years of age or 155
older and under eighteen years of age at the time of the alleged 156
act and if the case is transferred for criminal prosecution 157
pursuant to section 2152.12 of the Revised Code, the juvenile 158
court does not have jurisdiction to hear or determine the case 159
subsequent to the transfer. The court to which the case is 160
transferred for criminal prosecution pursuant to that section has 161
jurisdiction subsequent to the transfer to hear and determine the 162
case in the same manner as if the case originally had been 163
commenced in that court, including, but not limited to, 164
jurisdiction to accept a plea of guilty or another plea authorized 165
by Criminal Rule 11 or another section of the Revised Code and 166
jurisdiction to accept a verdict and to enter a judgment of 167
conviction pursuant to the Rules of Criminal Procedure against the 168
child for the commission of the offense that was the basis of the 169
transfer of the case for criminal prosecution, whether the 170

conviction is for the same degree or a lesser degree of the 171
offense charged, for the commission of a lesser-included offense, 172
or for the commission of another offense that is different from 173
the offense charged. 174

(I) If a person under eighteen years of age allegedly commits 175
an act that would be a felony if committed by an adult and if the 176
person is not taken into custody or apprehended for that act until 177
after the person attains twenty-one years of age, the juvenile 178
court does not have jurisdiction to hear or determine any portion 179
of the case charging the person with committing that act. In those 180
circumstances, divisions (A) and (B) of section 2152.12 of the 181
Revised Code do not apply regarding the act, and the case charging 182
the person with committing the act shall be a criminal prosecution 183
commenced and heard in the appropriate court having jurisdiction 184
of the offense as if the person had been eighteen years of age or 185
older when the person committed the act. All proceedings 186
pertaining to the act shall be within the jurisdiction of the 187
court having jurisdiction of the offense, and that court has all 188
the authority and duties in the case that it has in other criminal 189
cases in that court. 190

Sec. 2152.02. As used in this chapter: 191

(A) "Act charged" means the act that is identified in a 192
complaint, indictment, or information alleging that a child is a 193
delinquent child. 194

(B) "Admitted to a department of youth services facility" 195
includes admission to a facility operated, or contracted for, by 196
the department and admission to a comparable facility outside this 197
state by another state or the United States. 198

(C)(1) "Child" means a person who is under eighteen years of 199
age, except as otherwise provided in divisions (C)(2) to (6) of 200
this section. 201

(2) Subject to division (C)(3) of this section, any person 202
who violates a federal or state law or a municipal ordinance prior 203
to attaining eighteen years of age shall be deemed a "child" 204
irrespective of that person's age at the time the complaint with 205
respect to that violation is filed or the hearing on the complaint 206
is held. 207

(3) Any person who, while under eighteen years of age, 208
commits an act that would be a felony if committed by an adult and 209
who is not taken into custody or apprehended for that act until 210
after the person attains twenty-one years of age is not a child in 211
relation to that act. 212

(4) Any person whose case is transferred for criminal 213
prosecution pursuant to section 2152.12 of the Revised Code shall 214
be deemed after the transfer not to be a child in the transferred 215
case. 216

(5) Any person whose case is transferred for criminal 217
prosecution pursuant to section 2152.12 of the Revised Code and 218
who subsequently is convicted of or pleads guilty to a felony in 219
that case, and any person who is adjudicated a delinquent child 220
for the commission of an act, who has a serious youthful offender 221
dispositional sentence imposed for the act pursuant to section 222
2152.13 of the Revised Code, and whose adult portion of the 223
dispositional sentence is invoked pursuant to section 2152.14 of 224
the Revised Code, shall be deemed after the transfer or invocation 225
not to be a child in any case in which a complaint is filed 226
against the person. 227

(6) The juvenile court has jurisdiction over a person who is 228
adjudicated a delinquent child or juvenile traffic offender prior 229
to attaining eighteen years of age until the person attains 230
twenty-one years of age, and, for purposes of that jurisdiction 231
related to that adjudication, a person who is so adjudicated a 232
delinquent child or juvenile traffic offender shall be deemed a 233

"child" until the person attains twenty-one years of age.	234
(D) "Chronic truant" means any child of compulsory school age who is absent without legitimate excuse for absence from the public school the child is supposed to attend for seven or more consecutive school days, ten or more school days in one school month, or fifteen or more school days in a school year.	235 236 237 238 239
(E) "Community corrections facility," "public safety beds," "release authority," and "supervised release" have the same meanings as in section 5139.01 of the Revised Code.	240 241 242
(F) "Delinquent child" includes any of the following:	243
(1) Any child, except a juvenile traffic offender, who violates any law of this state or the United States, or any ordinance of a political subdivision of the state, that would be an offense if committed by an adult;	244 245 246 247
(2) Any child who violates any lawful order of the court made under this chapter or under Chapter 2151. of the Revised Code other than an order issued under section 2151.87 of the Revised Code;	248 249 250 251
(3) Any child who violates division (A) of section 2923.211 of the Revised Code;	252 253
(4) Any child who is a habitual truant and who previously has been adjudicated an unruly child for being a habitual truant;	254 255
(5) Any child who is a chronic truant.	256
(G) "Discretionary serious youthful offender" means a person who is eligible for a discretionary SYO and who is not transferred to adult court under a mandatory or discretionary transfer.	257 258 259
(H) "Discretionary SYO" means a case in which the juvenile court, in the juvenile court's discretion, may impose a serious youthful offender disposition under section 2152.13 of the Revised Code.	260 261 262 263

(I) "Discretionary transfer" means that the juvenile court has discretion to transfer a case for criminal prosecution under division (B) of section 2152.12 of the Revised Code.

(J) "Drug abuse offense," "felony drug abuse offense," and "minor drug possession offense" have the same meanings as in section 2925.01 of the Revised Code.

(K) "Electronic monitoring device," "certified electronic monitoring device," "electronically monitored house arrest," "electronic monitoring system," and "certified electronic monitoring system" have the same meanings as in section 2929.23 of the Revised Code.

(L) "Economic loss" means any economic detriment suffered by a victim of a delinquent act as a result of the delinquent act and includes any loss of income due to lost time at work because of any injury caused to the victim and any property loss, medical cost, or funeral expense incurred as a result of the delinquent act.

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

(N) "Juvenile traffic offender" means any child who violates any traffic law, traffic ordinance, or traffic regulation of this state, the United States, or any political subdivision of this state, other than a resolution, ordinance, or regulation of a political subdivision of this state the violation of which is required to be handled by a parking violations bureau or a joint parking violations bureau pursuant to Chapter 4521. of the Revised Code.

(O) A "legitimate excuse for absence from the public school the child is supposed to attend" has the same meaning as in section 2151.011 of the Revised Code.

(P) "Mandatory serious youthful offender" means a person who

is eligible for a mandatory SYO and who is not transferred to 295
adult court under a mandatory or discretionary transfer. 296

(Q) "Mandatory SYO" means a case in which the juvenile court 297
is required to impose a mandatory serious youthful offender 298
disposition under section 2152.13 of the Revised Code. 299

(R) "Mandatory transfer" means that a case is required to be 300
transferred for criminal prosecution under division (A) of section 301
2152.12 of the Revised Code. 302

(S) "Mental illness" has the same meaning as in section 303
5122.01 of the Revised Code. 304

(T) "Mentally retarded person" has the same meaning as in 305
section 5123.01 of the Revised Code. 306

(U) "Monitored time" and "repeat violent offender" have the 307
same meanings as in section 2929.01 of the Revised Code. 308

(V) "Of compulsory school age" has the same meaning as in 309
section 3321.01 of the Revised Code. 310

(W) "Public record" has the same meaning as in section 149.43 311
of the Revised Code. 312

(X) "Serious youthful offender" means a person who is 313
eligible for a mandatory SYO or discretionary SYO but who is not 314
transferred to adult court under a mandatory or discretionary 315
transfer. 316

(Y) "Sexually oriented offense," ~~has~~ "habitual sex offender," 317
"juvenile sex offender registrant," and "sexual predator" have the 318
same ~~meaning~~ meanings as in section 2950.01 of the Revised Code. 319

(Z) "Traditional juvenile" means a case that is not 320
transferred to adult court under a mandatory or discretionary 321
transfer, that is eligible for a disposition under sections 322
2152.16, 2152.17, 2152.19, and 2152.20 of the Revised Code, and 323
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that is not eligible for a disposition under section 2152.13 of 325
the Revised Code. 326

(AA) "Transfer" means the transfer for criminal prosecution 327
of a case involving the alleged commission by a child of an act 328
that would be an offense if committed by an adult from the 329
juvenile court to the appropriate court that has jurisdiction of 330
the offense. 331

(BB) "Category one offense" means any of the following: 332

(1) A violation of section 2903.01 or 2903.02 of the Revised 333
Code; 334

(2) A violation of section 2923.02 of the Revised Code 335
involving an attempt to commit aggravated murder or murder. 336

(CC) "Category two offense" means any of the following: 337

(1) A violation of section 2903.03, 2905.01, 2907.02, 338
2909.02, 2911.01, or 2911.11 of the Revised Code; 339

(2) A violation of section 2903.04 of the Revised Code that 340
is a felony of the first degree; 341

(3) A violation of section 2907.12 of the Revised Code as it 342
existed prior to September 3, 1996. 343

Sec. 2152.19. (A) If a child is adjudicated a delinquent 344
child, the court may make any of the following orders of 345
disposition, in addition to any other disposition authorized or 346
required by this chapter: 347

(1) Any order that is authorized by section 2151.353 of the 348
Revised Code for the care and protection of an abused, neglected, 349
or dependent child. 350

(2) Commit the child to the temporary custody of any school, 351
camp, institution, or other facility operated for the care of 352
delinquent children by the county, by a district organized under 353

section 2152.41 or 2151.65 of the Revised Code, or by a private 354
agency or organization, within or without the state, that is 355
authorized and qualified to provide the care, treatment, or 356
placement required; 357

(3) Place the child on community control under any sanctions, 358
services, and conditions that the court prescribes. As a condition 359
of community control in every case and in addition to any other 360
condition that it imposes upon the child, the court shall require 361
the child to abide by the law during the period of community 362
control. As referred to in this division, community control 363
includes, but is not limited to, the following sanctions and 364
conditions: 365

(a) A period of basic probation supervision in which the 366
child is required to maintain contact with a person appointed to 367
supervise the child in accordance with sanctions imposed by the 368
court; 369

(b) A period of intensive probation supervision in which the 370
child is required to maintain frequent contact with a person 371
appointed by the court to supervise the child while the child is 372
seeking or maintaining employment and participating in training, 373
education, and treatment programs as the order of disposition; 374

(c) A period of day reporting in which the child is required 375
each day to report to and leave a center or another approved 376
reporting location at specified times in order to participate in 377
work, education or training, treatment, and other approved 378
programs at the center or outside the center; 379

(d) A period of community service of up to five hundred hours 380
for an act that would be a felony or a misdemeanor of the first 381
degree if committed by an adult, up to two hundred hours for an 382
act that would be a misdemeanor of the second, third, or fourth 383
degree if committed by an adult, or up to thirty hours for an act 384

that would be a minor misdemeanor if committed by an adult; 385

(e) A requirement that the child obtain a high school 386
diploma, a certificate of high school equivalence, vocational 387
training, or employment; 388

(f) A period of drug and alcohol use monitoring; 389

(g) A requirement of alcohol or drug assessment or 390
counseling, or a period in an alcohol or drug treatment program 391
with a level of security for the child as determined necessary by 392
the court; 393

(h) A period in which the court orders the child to observe a 394
curfew that may involve daytime or evening hours; 395

(i) A requirement that the child serve monitored time; 396

(j) A period of house arrest with or without electronic 397
monitoring; 398

(k) A period of electronic monitoring without house arrest or 399
electronically monitored house arrest that does not exceed the 400
maximum sentence of imprisonment that could be imposed upon an 401
adult who commits the same act. 402

A period of electronically monitored house arrest imposed 403
under this division shall not extend beyond the child's 404
twenty-first birthday. If a court imposes a period of 405
electronically monitored house arrest upon a child under this 406
division, it shall require the child: to wear, otherwise have 407
attached to the child's person, or otherwise be subject to 408
monitoring by a certified electronic monitoring device or to 409
participate in the operation of and monitoring by a certified 410
electronic monitoring system; to remain in the child's home or 411
other specified premises for the entire period of electronically 412
monitored house arrest except when the court permits the child to 413
leave those premises to go to school or to other specified 414

premises; to be monitored by a central system that can determine
the child's location at designated times; to report periodically
to a person designated by the court; and to enter into a written
contract with the court agreeing to comply with all requirements
imposed by the court, agreeing to pay any fee imposed by the court
for the costs of the electronically monitored house arrest, and
agreeing to waive the right to receive credit for any time served
on electronically monitored house arrest toward the period of any
other dispositional order imposed upon the child if the child
violates any of the requirements of the dispositional order of
electronically monitored house arrest. The court also may impose
other reasonable requirements upon the child.

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Unless ordered by the court, a child shall not receive credit
for any time served on electronically monitored house arrest
toward any other dispositional order imposed upon the child for
the act for which was imposed the dispositional order of
electronically monitored house arrest.

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(1) A suspension of the driver's license, probationary
driver's license, or temporary instruction permit issued to the
child or a suspension of the registration of all motor vehicles
registered in the name of the child. A child whose license or
permit is so suspended is ineligible for issuance of a license or
permit during the period of suspension. At the end of the period
of suspension, the child shall not be reissued a license or permit
until the child has paid any applicable reinstatement fee and
complied with all requirements governing license reinstatement.

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(4) Commit the child to the custody of the court;

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

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(6)(a) If a child is adjudicated a delinquent child for being 446
a chronic truant or an habitual truant who previously has been 447
adjudicated an unruly child for being a habitual truant, do either 448
or both of the following: 449

(i) Require the child to participate in a truancy prevention 450
mediation program; 451

(ii) Make any order of disposition as authorized by this 452
section, except that the court shall not commit the child to a 453
facility described in division (A)(2) of this section unless the 454
court determines that the child violated a lawful court order made 455
pursuant to division (C)(1)(e) of section 2151.354 of the Revised 456
Code or division (A)(5) of this section. 457

(b) If a child is adjudicated a delinquent child for being a 458
chronic truant or a habitual truant who previously has been 459
adjudicated an unruly child for being a habitual truant and the 460
court determines that the parent, guardian, or other person having 461
care of the child has failed to cause the child's attendance at 462
school in violation of section 3321.38 of the Revised Code, do 463
either or both of the following: 464

(i) Require the parent, guardian, or other person having care 465
of the child to participate in a truancy prevention mediation 466
program; 467

(ii) Require the parent, guardian, or other person having 468
care of the child to participate in any community service program, 469
preferably a community service program that requires the 470
involvement of the parent, guardian, or other person having care 471
of the child in the school attended by the child. 472

(7) Make any further disposition that the court finds proper, 473
except that the child shall not be placed in any of the following: 474

(a) A state correctional institution, a county, multicounty, 475
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or municipal jail or workhouse, or another place in which an adult
convicted of a crime, under arrest, or charged with a crime is
held;

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(b) A community corrections facility, if the child would be
covered by the definition of public safety beds for purposes of
sections 5139.41 to 5139.45 of the Revised Code if the court
exercised its authority to commit the child to the legal custody
of the department of youth services for institutionalization or
institutionalization in a secure facility pursuant to this
chapter.

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(B) If a child is adjudicated a delinquent child, in addition
to any order of disposition made under division (A) of this
section, the court, in the following situations, shall suspend the
child's temporary instruction permit, restricted license,
probationary driver's license, or nonresident operating privilege,
or suspend the child's ability to obtain such a permit:

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(1) The child is adjudicated a delinquent child for violating
section 2923.122 of the Revised Code, with the suspension and
denial being in accordance with division (E)(1)(a), (c), (d), or
(e) of section 2923.122 of the Revised Code.

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(2) The child is adjudicated a delinquent child for
committing an act that if committed by an adult would be a drug
abuse offense or for violating division (B) of section 2917.11 of
the Revised Code, with the suspension continuing until the child
attends and satisfactorily completes a drug abuse or alcohol abuse
education, intervention, or treatment program specified by the
court. During the time the child is attending the program, the
court shall retain any temporary instruction permit, probationary
driver's license, or driver's license issued to the child, and the
court shall return the permit or license when the child
satisfactorily completes the program.

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(C) The court may establish a victim-offender mediation program in which victims and their offenders meet to discuss the offense and suggest possible restitution. If the court obtains the assent of the victim of the delinquent act committed by the child, the court may require the child to participate in the program.

(D)(1) If a child is adjudicated a delinquent child for committing an act that would be a felony if committed by an adult and if the child caused, attempted to cause, threatened to cause, or created a risk of physical harm to the victim of the act, the court, prior to issuing an order of disposition under this section, shall order the preparation of a victim impact statement by the probation department of the county in which the victim of the act resides, by the court's own probation department, or by a victim assistance program that is operated by the state, a county, a municipal corporation, or another governmental entity. The court shall consider the victim impact statement in determining the order of disposition to issue for the child.

(2) Each victim impact statement shall identify the victim of the act for which the child was adjudicated a delinquent child, itemize any economic loss suffered by the victim as a result of the act, identify any physical injury suffered by the victim as a result of the act and the seriousness and permanence of the injury, identify any change in the victim's personal welfare or familial relationships as a result of the act and any psychological impact experienced by the victim or the victim's family as a result of the act, and contain any other information related to the impact of the act upon the victim that the court requires.

(3) A victim impact statement shall be kept confidential and is not a public record. However, the court may furnish copies of the statement to the department of youth services if the

delinquent child is committed to the department or to both the
adjudicated delinquent child or the adjudicated delinquent child's
counsel and the prosecuting attorney. The copy of a victim impact
statement furnished by the court to the department pursuant to
this section shall be kept confidential and is not a public
record. The copies of a victim impact statement that are made
available to the adjudicated delinquent child or the adjudicated
delinquent child's counsel and the prosecuting attorney pursuant
to this division shall be returned to the court by the person to
whom they were made available immediately following the imposition
of an order of disposition for the child under this chapter.

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(4) The department of youth services shall work with local
probation departments and victim assistance programs to develop a
standard victim impact statement.

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(E) 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.

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(F)(1) During the period of a delinquent child's community
control granted under this section, authorized probation officers
who are engaged within the scope of their supervisory duties or
responsibilities may search, with or without a warrant, the person

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of the delinquent child, the place of residence of the delinquent
child, and a motor vehicle, another item of tangible or intangible
personal property, or other real property in which the delinquent
child has a right, title, or interest or for which the delinquent
child has the express or implied permission of a person with a
right, title, or interest to use, occupy, or possess if the
probation officers have reasonable grounds to believe that the
delinquent child is not abiding by the law or otherwise is not
complying with the conditions of the delinquent child's community
control. The court that places a delinquent child on community
control under this section shall provide the delinquent child with
a written notice that informs the delinquent child that authorized
probation officers who are engaged within the scope of their
supervisory duties or responsibilities may conduct those types of
searches during the period of community control if they have
reasonable grounds to believe that the delinquent child is not
abiding by the law or otherwise is not complying with the
conditions of the delinquent child's community control. The court
also shall provide the written notice described in division (E)(2)
of this section to each parent, guardian, or custodian of the
delinquent child who is described in that division.

(2) The court that places a child on community control under
this section shall provide the child's parent, guardian, or other
custodian with a written notice that informs them that authorized
probation officers may conduct searches pursuant to division
(E)(1) of this section. The notice shall specifically state that a
permissible search might extend to a motor vehicle, another item
of tangible or intangible personal property, or a place of
residence or other real property in which a notified parent,
guardian, or custodian has a right, title, or interest and that
the parent, guardian, or custodian expressly or impliedly permits
the child to use, occupy, or possess.

(G) If a juvenile court commits a delinquent child to the custody of any person, organization, or entity pursuant to this section and if the delinquent act for which the child is so committed is a sexually oriented offense, the court in the order of disposition shall inform the person, organization, or entity that it is the preferred course of action in this state that the child be provided treatment as described in division (A)(2) of section 5139.13 of the Revised Code and shall encourage the person, organization, or entity to provide that treatment.

Sec. 2152.191. If a child is adjudicated a delinquent child for committing a sexually oriented offense, if the child is fourteen years of age or older at the time of committing the offense, and if the child committed the offense on or after the effective date of this section, all of the following apply:

(A) Sections 2152.82 to 2152.85 and Chapter 2950. of the Revised Code apply to the child and the adjudication.

(B) In addition to any order of disposition it makes of the child under this chapter, the court may make any determination, adjudication, or order authorized under sections 2152.82 to 2152.85 and Chapter 2950. of the Revised Code and shall make any determination, adjudication, or order required under those sections and that chapter.

Sec. 2152.22. (A) When a child is committed to the legal custody of the department of youth services under this chapter, the juvenile court relinquishes control with respect to the child so committed, except as provided in divisions (B), (C), and (G) of this section or in sections 2152.82 to 2152.85 of the Revised Code. Subject to divisions (B) and (C) of this section, sections 2151.353 and 2151.412 to 2151.421 of the Revised Code, sections 2152.82 to 2152.85 of the Revised Code, and any other provision of

law that specifies a different duration for a dispositional order, 634
all other dispositional orders made by the court under this 635
chapter shall be temporary and shall continue for a period that is 636
designated by the court in its order, until terminated or modified 637
by the court or until the child attains twenty-one years of age. 638

The department shall not release the child from a department 639
facility and as a result shall not discharge the child or order 640
the child's release on supervised release prior to the expiration 641
of the period of court control over the child or prior to the 642
child's attainment of twenty-one years of age, except upon the 643
order of a court pursuant to division (B) or (C) of this section 644
or in accordance with section 5139.54 of the Revised Code. 645

(B)(1) The court that commits a delinquent child to the 646
department may grant judicial release of the child to court 647
supervision under this division, during any of the following 648
periods that are applicable, provided any commitment imposed under 649
division (A), (B), or (C) of section 2152.17 of the Revised Code 650
has ended: 651

(a) If the child was given a disposition under section 652
2152.16 of the Revised Code for committing an act that would be a 653
felony of the third, fourth, or fifth degree if committed by an 654
adult, at any time during the first ninety days of the period of 655
court control over the child; 656

(b) If the child was given a disposition under section 657
2152.13 or 2152.16 of the Revised Code, or both of those sections, 658
for committing an act that would be a felony of the first or 659
second degree if committed by an adult, at any time during the 660
first one hundred eighty days of the period of court control over 661
the child; 662

(c) If the child was committed to the department until the 663
child attains twenty-one years of age for an act that would be 664
aggravated murder or murder if committed by an adult, at any time 665

during the first half of the prescribed period of that commitment
of the child.

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(2) If the department of youth services desires to release a
child during a period specified in division (B)(1) of this
section, it shall request the court that committed the child to
grant a judicial release of the child to court supervision. During
whichever of those periods is applicable, the child or the parents
of the child also may request that court to grant a judicial
release of the child to court supervision. Upon receipt of a
request for a judicial release to court supervision from the
department, the child, or the child's parent, or upon its own
motion, the court that committed the child shall do one of the
following: approve the release by journal entry; schedule within
thirty days after the request is received a time for a hearing on
whether the child is to be released; or reject the request by
journal entry without conducting a hearing.

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If the court rejects an initial request for a release under
this division by the child or the child's parent, the child or the
child's parent may make one additional request for a judicial
release to court supervision within the applicable period. The
additional request may be made no earlier than thirty days after
the filing of the prior request for a judicial release to court
supervision. Upon the filing of a second request for a judicial
release to court supervision, the court shall either approve or
disapprove the release by journal entry or schedule within thirty
days after the request is received a time for a hearing on whether
the child is to be released.

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(3) If a court schedules a hearing under division (B)(2) of
this section, it may order the department to deliver the child to
the court on the date set for the hearing and may order the
department to present to the court a report on the child's
progress in the institution to which the child was committed and

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recommendations for conditions of supervision of the child by the
court after release. The court may conduct the hearing without the
child being present. The court shall determine at the hearing
whether the child should be granted a judicial release to court
supervision.

If the court approves the release, it shall order its staff
to prepare a written treatment and rehabilitation plan for the
child that may include any conditions of the child's release that
were recommended by the department and approved by the court. The
committing court shall send the juvenile court of the county in
which the child is placed a copy of the recommended plan. The
court of the county in which the child is placed may adopt the
recommended conditions set by the committing court as an order of
the court and may add any additional consistent conditions it
considers appropriate. If a child is granted a judicial release to
court supervision, the release discharges the child from the
custody of the department of youth services.

(C)(1) The court that commits a delinquent child to the
department may grant judicial release of the child to department
of youth services supervision under this division, during any of
the following periods that are applicable, provided any commitment
imposed under division (A), (B), or (C) of section 2152.17 of the
Revised Code has ended:

(a) If the child was given a disposition under section
2152.16 of the Revised Code for an act that would be a felony of
the third, fourth, or fifth degree if committed by an adult, at
any time during the period of court control over the child,
provided that at least ninety days of that period have elapsed;

(b) If the child was given a disposition under section
2152.13 or 2152.16 of the Revised Code, or both of those sections,
for an act that would be a felony of the first or second degree if
committed by an adult, at any time during the period of court

control over the child, provided that at least one hundred eighty
days of that period have elapsed;

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(c) If the child was committed to the department for an act
that would be aggravated murder or murder if committed by an adult
until the child attains twenty-one years of age, at any time
during the second half of the prescribed period of that commitment
of the child.

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(2) If the department of youth services desires to release a
child during a period specified in division (C)(1) of this
section, it shall request the court that committed the child to
grant a judicial release to department of youth services
supervision. During whichever of those periods is applicable, the
child or the child's parent also may request the court that
committed the child to grant a judicial release to department of
youth services supervision. Upon receipt of a request for judicial
release to department of youth services supervision, the child, or
the child's parent, or upon its own motion at any time during that
period, the court shall do one of the following: approve the
release by journal entry; schedule a time within thirty days after
receipt of the request for a hearing on whether the child is to be
released; or reject the request by journal entry without
conducting a hearing.

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If the court rejects an initial request for release under
this division by the child or the child's parent, the child or the
child's parent may make one or more subsequent requests for a
release within the applicable period, but may make no more than
one request during each period of ninety days that the child is in
a secure department facility after the filing of a prior request
for early release. Upon the filing of a request for release under
this division subsequent to an initial request, the court shall
either approve or disapprove the release by journal entry or
schedule a time within thirty days after receipt of the request

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for a hearing on whether the child is to be released.

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(3) If a court schedules a hearing under division (C)(2) of this section, it may order the department to deliver the child to the court on the date set for the hearing and shall order the department to present to the court at that time a treatment plan for the child's post-institutional care. The court may conduct the hearing without the child being present. The court shall determine at the hearing whether the child should be granted a judicial release to department of youth services supervision.

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If the court approves the judicial release to department of youth services supervision, the department shall prepare a written treatment and rehabilitation plan for the child pursuant to division (E) of this section that shall include the conditions of the child's release. It shall send the committing court and the juvenile court of the county in which the child is placed a copy of the plan. The court of the county in which the child is placed may adopt the conditions set by the department as an order of the court and may add any additional consistent conditions it considers appropriate, provided that the court may not add any condition that decreases the level or degree of supervision specified by the department in its plan, that substantially increases the financial burden of supervision that will be experienced by the department, or that alters the placement specified by the department in its plan. If the court of the county in which the child is placed adds to the department's plan any additional conditions, it shall enter those additional conditions in its journal and shall send to the department a copy of the journal entry of the additional conditions.

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If the court approves the judicial release to department of youth services supervision, the actual date on which the department shall release the child is contingent upon the department finding a suitable placement for the child. If the

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child is to be returned to the child's home, the department shall 794
return the child on the date that the court schedules for the 795
child's release or shall bear the expense of any additional time 796
that the child remains in a department facility. If the child is 797
unable to return to the child's home, the department shall 798
exercise reasonable diligence in finding a suitable placement for 799
the child, and the child shall remain in a department facility 800
while the department finds the suitable placement. 801

(D) If a child is released under division (B) or (C) of this 802
section and the court of the county in which the child is placed 803
has reason to believe that the child's department is not in 804
accordance with the conditions of the child's judicial release, 805
the court of the county in which the child is placed shall 806
schedule a time for a hearing to determine whether the child 807
violated any of the post-release conditions, and, if the child was 808
released under division (C) of this section, divisions (A) to (E) 809
of section 5139.52 of the Revised Code apply regarding the child. 810

If that court determines at the hearing that the child 811
violated any of the post-release conditions, the court, if it 812
determines that the violation was a serious violation, may order 813
the child to be returned to the department for 814
institutionalization, consistent with the original order of 815
commitment of the child, or in any case may make any other 816
disposition of the child authorized by law that the court 817
considers proper. If the court of the county in which the child is 818
placed orders the child to be returned to a department of youth 819
services institution, the time during which the child was held in 820
a secure department facility prior to the child's judicial release 821
shall be considered as time served in fulfilling the prescribed 822
period of institutionalization that is applicable to the child 823
under the child's original order of commitment. If the court 824
orders the child returned to a department institution, the child 825

shall remain in institutional care for a minimum of three months 826
or until the child successfully completes a revocation program of 827
a duration of not less than thirty days operated either by the 828
department or by an entity with which the department has 829
contracted to provide a revocation program. 830

(E) The department of youth services, prior to the release of 831
a child pursuant to division (C) of this section, shall do all of 832
the following: 833

(1) After reviewing the child's rehabilitative progress 834
history and medical and educational records, prepare a written 835
treatment and rehabilitation plan for the child that includes 836
conditions of the release; 837

(2) Completely discuss the conditions of the plan prepared 838
pursuant to division (E)(1) of this section and the possible 839
penalties for violation of the plan with the child and the child's 840
parents, guardian, or legal custodian; 841

(3) Have the plan prepared pursuant to division (E)(1) of 842
this section signed by the child, the child's parents, legal 843
guardian, or custodian, and any authority or person that is to 844
supervise, control, and provide supportive assistance to the child 845
at the time of the child's release pursuant to division (C) of 846
this section; 847

(4) Prior to the child's release, file a copy of the 848
treatment plan prepared pursuant to division (E)(1) of this 849
section with the committing court and the juvenile court of the 850
county in which the child is to be placed. 851

(F) The department of youth services shall file a written 852
progress report with the committing court regarding each child 853
released pursuant to division (C) of this section at least once 854
every thirty days unless specifically directed otherwise by the 855
court. The report shall indicate the treatment and rehabilitative 856

progress of the child and the child's family, if applicable, and shall include any suggestions for altering the program, custody, living arrangements, or treatment. The department shall retain legal custody of a child so released until it discharges the child or until the custody is terminated as otherwise provided by law.

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(G) When a child is committed to the legal custody of the department of youth services, the court retains jurisdiction to perform the functions specified in section 5139.51 of the Revised Code with respect to the granting of supervised release by the release authority and to perform the functions specified in section 5139.52 of the Revised Code with respect to violations of the conditions of supervised release granted by the release authority and to the revocation of supervised release granted by the release authority.

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Sec. 2152.82. (A) If a child is adjudicated a delinquent child for committing on or after the effective date of this section a sexually oriented offense, the juvenile court judge who adjudicates the child a delinquent child shall issue an order that classifies the child a juvenile sex offender registrant and specifies that the child has a duty to register under section 2950.04 of the Revised Code if the delinquent child was fourteen, fifteen, sixteen, or seventeen years of age at the time of committing the offense, and the delinquent child previously was adjudicated a delinquent child for committing any sexually oriented offense, regardless of when the prior offense was committed and regardless of the delinquent child's age at the time of committing the offense.

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(B) An order required under division (A) of this section shall be issued at the time the judge makes the orders of disposition for the delinquent child. Prior to issuing the order, the judge shall conduct the hearing and make the determinations

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required by, and otherwise comply with, divisions (B) and (E) of 888
section 2950.09 of the Revised Code. When a judge issues an order 889
under division (A) of this section, all of the following apply: 890

(1) The judge shall include in the order any determination 891
that the delinquent child is a sexual predator or is a habitual 892
sex offender that the judge makes pursuant to division (B) or (E) 893
of section 2950.09 of the Revised Code and any related information 894
required or authorized under the division under which the 895
determination is made, including, but not limited to, any 896
requirement imposed by the court subjecting a child who is a 897
habitual sex offender to community notification provisions as 898
described in division (E) of that section. 899

(2) The judge shall include in the order a statement that, 900
upon completion of the disposition of the delinquent child that 901
was made for the sexually oriented offense upon which the order is 902
based, a hearing will be conducted, and the order and any 903
determinations included in the order are subject to modification 904
or termination pursuant to sections 2152.84 and 2152.85 of the 905
Revised Code. 906

(3) The judge shall provide a copy of the order to the 907
delinquent child and to the delinquent child's parent, guardian, 908
or custodian, as part of the notice provided under divisions (A) 909
and (B) of section 2950.03 of the Revised Code. 910

(4) The judge shall include the order in the delinquent 911
child's dispositional order and shall specify in the dispositional 912
order that the order issued under division (A) of this section was 913
made pursuant to this section. 914

(C) An order issued under division (A) of this section and 915
any determinations included in the order shall remain in effect 916
for the period of time specified in section 2950.07 of the Revised 917
Code, subject to a modification or termination of the order under 918
section 2152.84 or 2152.85 of the Revised Code. If an order is 919

issued under division (A) of this section, the child's attainment 920
of eighteen or twenty-one years of age does not affect or 921
terminate the order, and the order remains in effect for the 922
period of time described in this division. 923

Sec. 2152.83. (A) If a child is adjudicated a delinquent 924
child for committing on or after the effective date of this 925
section a sexually oriented offense, if the child was sixteen or 926
seventeen years of age at the time of committing the offense, and 927
if the juvenile court judge was not required to classify the child 928
a juvenile sex offender registrant under section 2152.82 of the 929
Revised Code, upon the child's discharge or release from a secure 930
facility or at the time of disposition if the judge does not 931
commit the child to the custody of a secure facility, the juvenile 932
court judge who adjudicated the child a delinquent child, or that 933
judge's successor in office, shall issue an order that classifies 934
the child a juvenile sex offender registrant and specifies that 935
the child has a duty to register under section 2950.04 of the 936
Revised Code. Prior to issuing the order, the judge shall conduct 937
the hearing and make the determinations required by, and otherwise 938
comply with, divisions (B) and (E) of section 2950.09 of the 939
Revised Code. When a judge issues an order under division (A) of 940
this section, the judge shall include in the order any 941
determination that the delinquent child is a sexual predator or is 942
a habitual sex offender that the judge makes pursuant to division 943
(B) or (E) of section 2950.09 of the Revised Code and any related 944
information required or authorized under the division under which 945
the determination is made, including, but not limited to, any 946
requirement imposed by the court subjecting a child who is a 947
habitual sex offender to community notification provisions as 948
described in division (E) of that section. 949

(B) If a child is adjudicated a delinquent child for 950
committing on or after the effective date of this section a 951

sexually oriented offense, if the delinquent child was fourteen or 952
fifteen years of age at the time of committing the offense, and if 953
the juvenile court judge was not required to classify the child a 954
juvenile sex offender registrant under section 2152.82 of the 955
Revised Code, upon the child's discharge or release from a secure 956
facility or at the time of disposition if the judge does not 957
commit the child to the custody of a secure facility, the juvenile 958
court judge who adjudicated the child a delinquent child, or that 959
judge's successor in office, may, on the judge's own motion, 960
conduct a hearing to review the effectiveness of the disposition 961
and of any treatment provided for a child placed in a secure 962
setting and to determine whether the child should be classified a 963
juvenile sex offender registrant. The judge may conduct the 964
hearing on the judge's own initiative or based upon a 965
recommendation of an officer or employee of the department of 966
youth services, a probation officer, an employee of the court, or 967
a prosecutor or law enforcement officer. If the judge conducts the 968
hearing, upon completion of the hearing, the judge, in the judge's 969
discretion and after consideration of the factors listed in 970
division (E) of this section, shall do either of the following: 971

(1) Decline to issue an order that classifies the child a 972
juvenile sex offender registrant and specifies that the child has 973
a duty to register under section 2950.04 of the Revised Code; 974

(2) Issue an order that classifies the child a juvenile sex 975
offender registrant and specifies that the child has a duty to 976
register under section 2950.04 of the Revised Code and, if the 977
judge determines as described in division (C) of this section that 978
the child is a sexual predator or a habitual sex offender, include 979
in the order a statement that the judge has determined that the 980
child is a sexual predator or a habitual sex offender, whichever 981
is applicable. 982

(C) A judge may issue an order under division (B) of this 983

section that contains a determination that a delinquent child is a 984
sexual predator only if the judge, in accordance with the 985
procedures specified in division (B) of section 2950.09 of the 986
Revised Code, determines at the hearing by clear and convincing 987
evidence that the child is a sexual predator. A judge may issue an 988
order under division (B) of this section that contains a 989
determination that a delinquent child is a habitual sex offender 990
only if the judge determines at the hearing as described in 991
division (E) of section 2950.09 of the Revised Code that the child 992
is a habitual sex offender. If the judge issues an order under 993
division (B) of this section that contains a determination that a 994
delinquent child is a habitual sex offender, the judge may impose 995
a requirement subjecting the child to community notification 996
provisions as described in division (E) of section 2950.09 of the 997
Revised Code. 998

(D) If a judge issues an order under division (A) or (B) of 999
this section, the judge shall provide to the delinquent child and 1000
to the delinquent child's parent, guardian, or custodian a copy of 1001
the order and a notice containing the information described in 1002
divisions (A) and (B) of section 2950.03 of the Revised Code. The 1003
judge shall provide the notice at the time of the issuance of the 1004
order, shall provide the notice as described in division (B)(1)(c) 1005
of that section, and shall comply with divisions (B)(1), (B)(2), 1006
and (C) of that section regarding that notice. 1007

The judge also shall include in the order a statement that, 1008
upon completion of the disposition of the delinquent child that 1009
was made for the sexually oriented offense upon which the order is 1010
based, a hearing will be conducted and the order is subject to 1011
modification or termination pursuant to section 2152.84 of the 1012
Revised Code. 1013

(E) In making a decision under division (B) of this section 1014
as to whether a delinquent child should be classified a juvenile 1015

sex offender registrant and, if so, whether the child also is a 1016
sexual predator or a habitual sex offender, a judge shall consider 1017
all relevant factors, including, but not limited to, all of the 1018
following: 1019

(1) The nature of the sexually oriented offense committed by 1020
the child; 1021

(2) Whether the child has shown any genuine remorse or 1022
compunction for the offense; 1023

(3) The public interest and safety; 1024

(4) The factors set forth in division (B)(3) of section 1025
2950.09 of the Revised Code; 1026

(5) The factors set forth in divisions (B) and (C) of section 1027
2929.12 of the Revised Code as those factors apply regarding the 1028
delinquent child, the offense, and the victim; 1029

(6) The results of any treatment provided to the child and of 1030
any follow-up professional assessment of the child. 1031

(F) An order issued under division (A) or (B) of this section 1032
shall remain in effect for the period of time specified in section 1033
2950.07 of the Revised Code, subject to a modification or 1034
termination of the order under section 2152.84 of the Revised 1035
Code. The child's attainment of eighteen or twenty-one years of 1036
age does not affect or terminate the order, and the order remains 1037
in effect for the period of time described in this division. 1038

(G) As used in the section, "secure facility" has the same 1039
meaning as in section 2950.01 of the Revised Code. 1040

Sec. 2152.84. (A)(1) When a juvenile court judge issues an 1041
order under section 2152.82 or division (A) or (B) of section 1042
2152.83 of the Revised Code that classifies a delinquent child a 1043
juvenile sex offender registrant and specifies that the child has 1044
a duty to register under section 2950.04 of the Revised Code, upon 1045

completion of the disposition of that delinquent child that the 1046
judge made for the sexually oriented offense on which the juvenile 1047
sex offender registrant order was based, the judge or the judge's 1048
successor in office shall conduct a hearing to do all of the 1049
following: 1050

(a) Review the effectiveness of the disposition and of any 1051
treatment provided for the child; 1052

(b) If the order also contains a determination that the 1053
delinquent child is a sexual predator or habitual sex offender 1054
that the court made pursuant to division (B) or (E) of section 1055
2950.09 of the Revised Code, determine whether the classification 1056
of the child as a sexual predator, habitual sex offender, or 1057
juvenile sex offender registrant should be continued or modified 1058
or, regarding an order issued under division (B) of section 1059
2152.83 of the Revised Code, terminated; 1060

(c) If the order was issued under division (B) of section 1061
2152.83 of the Revised Code and does not contain a sexual predator 1062
determination that the court makes as described in division 1063
(A)(1)(b) of this section, determine whether the classification of 1064
the child as a juvenile sex offender registrant should be 1065
continued, modified, or terminated. 1066

(2) Upon completion of a hearing under division (A)(1) of 1067
this section, the judge, in the judge's discretion and after 1068
consideration of the factors listed in division (E) of this 1069
section, shall do one of the following, as applicable: 1070

(a) Enter an order that continues the classification of the 1071
delinquent child made in the order issued under section 2152.82 or 1072
division (A) or (B) of section 2152.83 of the Revised Code, and 1073
any sexual predator or habitual sex offender determination 1074
included in the order; 1075

(b) If the order was issued under section 2152.82 or division (A) of section 2152.83 of the Revised Code and includes a determination by the judge that the delinquent child is a sexual predator, enter an order that contains a determination that the delinquent child no longer is a sexual predator and that also contains either a determination that the delinquent child is a habitual sex offender or a determination that the delinquent child remains a juvenile sex offender registrant but is not a sexual predator or habitual sex offender;

(c) If the order was issued under section 2152.82 or division (A) of section 2152.83 of the Revised Code and does not include a sexual predator determination as described in division (A)(2)(b) of this section but includes a determination by the judge that the delinquent child is a habitual sex offender, enter an order that contains a determination that the delinquent child no longer is a habitual sex offender and that also contains a determination that the delinquent child remains a juvenile sex offender registrant but is not a habitual sex offender;

(d) If the order was issued under division (B) of section 2152.83 of the Revised Code and includes a determination by the judge that the delinquent child is a sexual predator, enter an order that contains a determination that the delinquent child no longer is a sexual predator and that also contains a determination that the delinquent child is a habitual sex offender, a determination that the delinquent child remains a juvenile sex offender registrant but is not a sexual predator or habitual sex offender, or a determination that specifies that the delinquent child no longer is a juvenile sex offender registrant and no longer has a duty to register under section 2950.04 of the Revised Code;

(e) If the order was issued under division (B) of section 2152.83 of the Revised Code and does not include a sexual predator

determination as described in division (A)(2)(d) of this section 1108
but includes a determination by the judge that the delinquent 1109
child is a habitual sex offender, enter an order that contains a 1110
determination that the child no longer is a habitual sex offender 1111
and that also contains either a determination that the child 1112
remains a juvenile sex offender registrant but is not a sexual 1113
predator or habitual sex offender or a determination that 1114
specifies that the child no longer is a juvenile sex offender 1115
registrant and no longer has a duty to register under section 1116
2950.04 of the Revised Code; 1117

(f) If the order was issued under division (B) of section 1118
2152.83 of the Revised Code and the order does not include a 1119
sexual predator determination or a habitual sex offender 1120
determination as described in divisions (A)(2)(d) and (e) of this 1121
section, enter an order that contains a determination that the 1122
delinquent child no longer is a juvenile sex offender registrant 1123
and no longer has a duty to register under section 2950.04 of the 1124
Revised Code. 1125

(B) If a judge issues an order under division (A)(2)(a) of 1126
this section that continues the prior classification of the 1127
delinquent child as a juvenile sex offender registrant and any 1128
sexual predator or habitual sex offender determination included in 1129
the order, the prior classification and the prior determination, 1130
if applicable, shall remain in effect. 1131

A judge may issue an order under division (A)(2) of this 1132
section that contains a determination that a child no longer is a 1133
sexual predator only if the judge, in accordance with the 1134
procedures specified in division (D)(1) of section 2950.09 of the 1135
Revised Code, determines at the hearing by clear and convincing 1136
evidence that the delinquent child is unlikely to commit a 1137
sexually oriented offense in the future. If the judge issues an 1138
order of that type, the judge shall provide the notifications 1139

described in division (D)(1) of section 2950.09 of the Revised Code, and the recipient of the notification shall comply with the provisions of that division. 1140
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(C) If a judge issues an order under any provision of division (A)(2) of this section, the judge shall provide to the delinquent child and to the delinquent child's parent, guardian, or custodian a copy of the order and a notice containing the information described in divisions (A) and (B) of section 2950.03 of the Revised Code. The judge shall provide the notice at the time of the issuance of the order, shall provide the notice as described in division (B)(1)(c) of that section, and shall comply with divisions (B)(1), (B)(2), and (C) of that section regarding that notice. 1143
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(D) In making a decision under division (A) of this section, a judge shall consider all relevant factors, including, but not limited to, the factors listed in division (E) of section 2152.83 of the Revised Code. 1153
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(E) An order issued under division (A)(2) of this section and any determinations included in the order shall remain in effect for the period of time specified in section 2950.07 of the Revised Code, subject to a modification or termination of the order under section 2152.85 of the Revised Code. If an order is issued under division (A)(2) of this section, the child's attainment of eighteen or twenty-one years of age does not affect or terminate the order, and the order remains in effect for the period of time described in this division. 1157
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Sec. 2152.85. (A) Upon the expiration of the applicable period of time specified in division (B)(1) or (2) of this section, a delinquent child who has been classified pursuant to this section or section 2152.82 or 2152.83 of the Revised Code a juvenile sex offender registrant may petition the judge who made 1167
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the classification, or that judge's successor in office, to do one 1172
of the following: 1173

(1) If the order containing the juvenile sex offender 1174
registrant classification also includes a determination by the 1175
juvenile court judge that the delinquent child is a sexual 1176
predator relative to the sexually oriented offense in the manner 1177
described in section 2152.82 or 2152.83 of the Revised Code and 1178
that determination remains in effect, to enter an order that 1179
contains a determination that the child no longer is a sexual 1180
predator and that also contains either a determination that the 1181
child is a habitual sex offender or a determination that the child 1182
remains a juvenile sex offender registrant but is not a sexual 1183
predator or habitual sex offender; 1184

(2) If the order containing the juvenile sex offender 1185
registrant classification under section 2152.82 or 2152.83 of the 1186
Revised Code or under division (C)(2) of this section pursuant to 1187
a petition filed under division (A) of this section does not 1188
include a sexual predator determination as described in division 1189
(A)(1) of this section but includes a determination by the 1190
juvenile court judge that the delinquent child is a habitual sex 1191
offender relative to the sexually oriented offense in the manner 1192
described in section 2152.82 or 2152.83 of the Revised Code, or in 1193
this section, and that determination remains in effect, to enter 1194
an order that contains a determination that the child no longer is 1195
a habitual sex offender and that also contains either a 1196
determination that the child remains a juvenile sex offender 1197
registrant or a determination that the child no longer is a 1198
juvenile sex offender registrant and no longer has a duty to 1199
register under section 2950.04 of the Revised Code; 1200

(3) If the order containing the juvenile sex offender 1201
registrant classification under section 2152.82 or 2152.83 of the 1202
Revised Code or under division (C)(2) of this section pursuant to 1203

a petition filed under division (A) of this section does not 1204
include a sexual predator or habitual sex offender determination 1205
as described in division (A)(1) or (2) of this section, to enter 1206
an order that contains a determination that the child no longer is 1207
a juvenile sex offender registrant and no longer has a duty to 1208
register under section 2950.04 of the Revised Code. 1209

(B) A delinquent child who has been adjudicated a delinquent 1210
child for committing on or after the effective date of this 1211
section a sexually oriented offense and who has been classified a 1212
juvenile sex offender registrant relative to that sexually 1213
oriented offense may file a petition under division (A) of this 1214
section requesting reclassification or declassification as 1215
described in that division after the expiration of one of the 1216
following periods of time: 1217

(1) The delinquent child initially may file a petition not 1218
earlier than three years after the entry of the juvenile court 1219
judge's order after the mandatory hearing conducted under section 1220
2152.84 of the Revised Code. 1221

(2) After the delinquent child's initial filing of a petition 1222
under division (B)(1) of this section, the child may file a second 1223
petition not earlier than three years after the judge has entered 1224
an order deciding the petition under division (B)(1) of this 1225
section. 1226

(3) After the delinquent child's filing of a petition under 1227
division (B)(2) of this section, thereafter, the delinquent child 1228
may file a petition under this division upon the expiration of 1229
five years after the judge has entered an order deciding the 1230
petition under division (B)(2) of this section or the most recent 1231
petition the delinquent child has filed under this division. 1232

(C) Upon the filing of a petition under divisions (A) and (B) 1233
of this section, the judge may review the prior classification or 1234

determination in question and, upon consideration of all relevant factors and information, including, but not limited to the factors listed in division (E) of section 2152.83 of the Revised Code, the judge, in the judge's discretion, shall do one of the following:

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(1) Enter an order denying the petition;

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(2) Issue an order that reclassifies or declassifies the delinquent child, in the requested manner specified in division (A)(1), (2), or (3) of this section.

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(D) If a judge issues an order under division (C) of this section that denies a petition, the prior classification of the delinquent child as a juvenile sex offender registrant, and the prior determination that the child is a sexual predator or habitual sex offender, if applicable, shall remain in effect.

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A judge may issue an order under division (C) of this section that contains a determination that a child no longer is a sexual predator only if the judge conducts a hearing and, in accordance with the procedures specified in division (D)(1) of section 2950.09 of the Revised Code, determines at the hearing by clear and convincing evidence that the delinquent child is unlikely to commit a sexually oriented offense in the future. If the judge issues an order of that type, the judge shall provide the notifications described in division (D)(1) of section 2950.09 of the Revised Code, and the recipient of the notification shall comply with the provisions of that division.

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A judge may issue an order under division (C) of this section that contains a determination that a delinquent child is a habitual sex offender only if the judge conducts a hearing and determines at the hearing as described in division (E) of section 2950.09 of the Revised Code that the child is a habitual sex offender. If the judge issues an order that contains a

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determination that a delinquent child is a habitual sex offender, 1266
the judge may impose a requirement subjecting the child to 1267
community notification provisions as described in that division. 1268

(E) If a judge issues an order under division (C) of this 1269
section, the judge shall provide to the delinquent child and to 1270
the delinquent child's parent, guardian, or custodian a copy of 1271
the order and a notice containing the information described in 1272
divisions (A) and (B) of section 2950.03 of the Revised Code. The 1273
judge shall provide the notice at the time of the issuance of the 1274
order, shall provide the notice as described in division (B)(1)(c) 1275
of section 2950.03 of the Revised Code, and shall comply with 1276
divisions (B)(1), (B)(2), and (C) of that section regarding that 1277
notice. 1278

(F) An order issued under division (C) of this section shall 1279
remain in effect for the period of time specified in section 1280
2950.07 of the Revised Code, subject to a further modification or 1281
a termination of the order under this section. If an order is 1282
issued under division (C) of this section, the child's attainment 1283
of eighteen or twenty-one years of age does not affect or 1284
terminate the order, and the order remains in effect for the 1285
period of time described in this division. 1286

Sec. 2919.24. (A) No person shall do ~~either~~ any of the 1288
following: 1289

(1) Aid, abet, induce, cause, encourage, or contribute to a 1290
child or a ward of the juvenile court becoming an unruly child, as 1291
defined in section 2151.022 of the Revised Code, or a delinquent 1292
child, as defined in section 2151.02 of the Revised Code; 1293

(2) Act in a way tending to cause a child or a ward of the 1294
juvenile court to become an unruly child, as defined in section 1295
2151.022 of the Revised Code, or a delinquent child, as defined in 1296

section 2151.02 of the Revised Code; 1297

(3) If the person is the parent, guardian, or custodian of a 1298
child who has the duties under Chapters 2152. and 2950. of the 1299
Revised Code to register, to register a new residence address, and 1300
to periodically verify a residence address and if the child is not 1301
emancipated, as defined in section 2919.121 of the Revised Code, 1302
fail to ensure that the child complies with those duties under 1303
Chapters 2152. and 2950. of the Revised Code. 1304

(B) Whoever violates this section is guilty of contributing 1305
to the unruliness or delinquency of a child, a misdemeanor of the 1306
first degree. Each day of violation of this section is a separate 1307
offense. 1308

Sec. 2950.01. As used in this chapter, unless the context 1310
clearly requires otherwise: 1311

(A) "Confinement" includes, but is not limited to, a 1312
community residential sanction imposed pursuant to section 2929.16 1313
of the Revised Code. 1314

(B) "Habitual sex offender" means, except when a juvenile 1315
judge removes this classification pursuant to division (A)(2) of 1316
section 2152.84 or division (C)(2) of section 2152.85 of the 1317
Revised Code, a person who to whom both of the following apply: 1318

(1) The person is convicted of or pleads guilty to a sexually 1319
oriented offense and who, or the person is adjudicated a 1320
delinquent child for committing on or after the effective date of 1321
this amendment a sexually oriented offense, was fourteen years of 1322
age or older at the time of committing the offense, and is 1323
classified a juvenile sex offender registrant based on that 1324
adjudication. 1325

(2) The person previously has been convicted of or pleaded 1326

guilty to one or more sexually oriented offenses or, regarding a 1327
delinquent child, previously has been adjudicated a delinquent 1328
child for committing one or more sexually oriented offenses. 1329

(C) "Prosecutor" has the same meaning as in section 2935.01 1330
of the Revised Code. 1331

(D) "Sexually oriented offense" means any of the following: 1332

(1) Subject to division (D)(2) of this section, any of the 1333
following violations or offenses: 1334

~~(1)~~(a) Regardless of the age of the victim of the offense, a 1335
violation of section 2907.02, 2907.03, or 2907.05 of the Revised 1336
Code; 1337

~~(2)~~(b) Any of the following offenses involving a minor, in 1338
the circumstances specified: 1339

~~(a)~~(i) A violation of section 2905.01, 2905.02, 2905.03, 1340
2905.04, 2905.05, or 2907.04 of the Revised Code when the victim 1341
of the offense is under eighteen years of age; 1342

~~(b)~~(ii) A violation of section 2907.21 of the Revised Code 1343
when the person who is compelled, induced, procured, encouraged, 1344
solicited, requested, or facilitated to engage in, paid or agreed 1345
to be paid for, or allowed to engage in the sexual activity in 1346
question is under eighteen years of age; 1347

~~(c)~~(iii) A violation of division (A)(1) or (3) of section 1348
2907.321 or 2907.322 of the Revised Code; 1349

~~(d)~~(iv) A violation of division (A)(1) or (2) of section 1350
2907.323 of the Revised Code; 1351

~~(e)~~(v) A violation of division (B)(5) of section 2919.22 of 1352
the Revised Code when the child who is involved in the offense is 1353
under eighteen years of age. 1354

~~(3)~~(c) Regardless of the age of the victim of the offense, a 1355
violation of section 2903.01, 2903.02, 2903.11, or 2905.01 of the 1356

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)(d)~~ A sexually violent offense;

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

~~(6)(f)~~ 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)(a), ~~(2)~~, ~~(3)(b)~~, (c), or ~~(4)(d)~~ of this section;

~~(7)(g)~~ An attempt to commit, conspiracy to commit, or complicity in committing any offense listed in division (D)(1)(a), ~~(2)~~, (3), (4), ~~(5)(b)~~, (c), (d), (e), or ~~(6)(f)~~ of this section.

(2) An act committed by a person under eighteen years of age that is any of the following:

(a) Except for the violations specifically described in divisions (D)(2)(b) and (c) of this section and subject to division (D)(2)(d) of this section, any violation listed in division (D)(1) of this section that, if committed by an adult, would be a felony of the first, second, third, or fourth degree;

(b) Subject to division (A)(2)(d) of this section, a violation of section 2903.01, 2903.02, 2903.11, 2905.01, or 2905.02 of the Revised Code, a violation of division (A) of section 2903.04 of the Revised Code, or an attempt to violate any of those sections or that division that is committed with a purpose to gratify the sexual needs or desires of the child committing the violation;

(c) Subject to division (A)(2)(d) of this section, a

violation of division (A)(1) or (3) of section 2907.321, division 1388
(A)(1) or (3) of section 2907.322, or division (A)(1) or (2) of 1389
section 2907.323 of the Revised Code, or an attempt to violate any 1390
of those divisions, if the person who violates or attempts to 1391
violate the division is four or more years older than the minor 1392
who is the victim of the offense; 1393

(d) If the child's case has been transferred for criminal 1394
prosecution under section 2152.12 of the Revised Code, the act is 1395
any violation listed in division (D)(1)(a), (b), (c), (d), (e), 1396
(f), or (g) of this section or would be any offense listed in any 1397
of those divisions if committed by an adult. 1398

(E) "Sexual predator" means a person who to whom either of 1399
the following applies: 1400

(1) The person has been convicted of or pleaded guilty to 1401
committing a sexually oriented offense and is likely to engage in 1402
the future in one or more sexually oriented offenses. 1403

(2) The person has been adjudicated a delinquent child for 1404
committing a sexually oriented offense, was fourteen years of age 1405
or older at the time of committing the offense, was classified a 1406
juvenile sex offender registrant based on that adjudication, and 1407
is likely to engage in the future in one or more sexually oriented 1408
offenses. 1409

(F) "Supervised release" means a release of an offender from 1410
a prison term, a term of imprisonment, or another type of 1411
confinement that satisfies either of the following conditions: 1412

(1) The release is on parole, a conditional pardon, or 1413
probation, under transitional control, or under a post-release 1414
control sanction, and it requires the person to report to or be 1415
supervised by a parole officer, probation officer, field officer, 1416
or another type of supervising officer. 1417

(2) The release is any type of release that is not described 1418

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.

(G) An offender or delinquent child is "adjudicated as being
a sexual predator" if any of the following applies and if that
status has not been removed pursuant to section 2152.84, 2152.85,
or 2950.09 of the Revised Code:

(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.

(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.

(3) The delinquent child is adjudicated a delinquent child
for committing a sexually oriented offense, was fourteen years of
age or older at the time of committing the offense, and has been
classified a juvenile sex offender registrant based on that
adjudication, and the adjudicating judge or that judge's successor
in office determines pursuant to division (B) of section 2950.09
or pursuant to division (B) of section 2152.83, section 2152.84,
or section 2152.85 of the Revised Code that the delinquent child
is a sexual predator.

(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 1450
that the offender is a sexual predator. 1451

~~(4)~~(5) Regardless of when the sexually oriented offense was 1452
committed, the offender or delinquent child is convicted of or 1453
pleads guilty to, ~~or~~ has been convicted of or pleaded guilty to, 1454
or is adjudicated a delinquent child for committing a sexually 1455
oriented offense in another state or in a federal court, military 1456
court, or an Indian tribal court, as a result of that conviction 1457
~~or~~, plea of guilty, or adjudication, the offender or delinquent 1458
child is required, under the law of the jurisdiction in which the 1459
offender was convicted or pleaded guilty or the delinquent child 1460
was adjudicated, to register as a sex offender until the 1461
offender's or delinquent child's death and to verify the 1462
offender's or delinquent child's address on at least a quarterly 1463
basis each year, and, on or after July 1, 1997, for offenders or 1464
the effective date of this amendment for delinquent children the 1465
offender or delinquent child moves to and resides in this state or 1466
temporarily is domiciled in this state for more than seven days, 1467
unless a court of common pleas or juvenile court determines that 1468
the offender or delinquent child is not a sexual predator pursuant 1469
to division (F) of section 2950.09 of the Revised Code. 1470

(H) "Sexually violent predator specification" and "sexually 1471
violent offense" have the same meanings as in section 2971.01 of 1472
the Revised Code. 1473

(I) "Post-release control sanction" and "transitional 1474
control" have the same meanings as in section 2967.01 of the 1475
Revised Code. 1476

(J) "Juvenile sex offender registrant" means a person who is 1477
adjudicated a delinquent child for committing on or after the 1478
effective date of this amendment a sexually oriented offense, who 1479
is fourteen years of age or older at the time of committing the 1480
offense, and who a juvenile court judge, pursuant to an order 1481

issued under section 2152.82, 2152.83, 2152.84, or 2152.85 of the
Revised Code, classifies as a juvenile sex offender registrant and
specifies has a duty to register under section 2950.04 of the
Revised Code.

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(K) "Secure facility" means any facility that is designed and
operated to ensure that all of its entrances and exits are locked
and under the exclusive control of its staff and to ensure that,
because of that exclusive control, no person who is
institutionalized or confined in the facility may leave the
facility without permission or supervision.

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(L) "Out-of-state juvenile sex offender registrant" means a
person who is adjudicated a delinquent child for committing a
sexually oriented offense in another state or in a federal court,
military court, or Indian tribal court, who on or after the
effective date of this amendment moves to and resides in this
state or temporarily is domiciled in this state for more than
seven days, and who under section 2950.04 of the Revised Code has
a duty to register in this state as described in that section.

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(M) "Juvenile court judge" includes a magistrate to whom the
juvenile court judge confers duties pursuant to division (A)(15)
of section 2151.23 of the Revised Code.

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Sec. 2950.02. (A) The general assembly hereby determines and
declares that it recognizes and finds all of the following:

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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 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

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members of the public and communities to meet with members of law 1513
enforcement agencies to prepare and obtain information about the 1514
rights and responsibilities of the public and the communities and 1515
to provide education and counseling to their children. 1516

(2) Sexual predators and habitual sex offenders pose a high 1517
risk of engaging in further offenses even after being released 1518
from imprisonment, a prison term, or other confinement or 1519
detention and that protection of members of the public from sexual 1520
predators and habitual sex offenders is a paramount governmental 1521
interest. 1522

(3) The penal, juvenile, and mental health components of the 1523
justice system of this state are largely hidden from public view, 1524
and a lack of information from ~~either~~ any component may result in 1525
the failure of ~~both systems~~ the system to satisfy this paramount 1526
governmental interest of public safety described in division 1527
(A)(2) of this section. 1528

(4) Overly restrictive confidentiality and liability laws 1529
governing the release of information about sexual predators and 1530
habitual sex offenders have reduced the willingness to release 1531
information that could be appropriately released under the public 1532
disclosure laws and have increased risks of public safety. 1533

(5) A person who is found to be a sexual predator or a 1534
habitual sex offender has a reduced expectation of privacy because 1535
of the public's interest in public safety and in the effective 1536
operation of government. 1537

(6) The release of information about sexual predators and 1538
habitual sex offenders to public agencies and the general public 1539
will further the governmental interests of public safety and 1540
public scrutiny of the criminal, juvenile, and mental health 1541
systems as long as the information released is rationally related 1542
to the furtherance of those goals. 1543

(B) The general assembly hereby declares that, in providing 1544
in this chapter for registration regarding sexual predators, 1545
habitual sex offenders, and offenders and certain delinquent 1546
children who have committed sexually oriented offenses and for 1547
community notification regarding sexual predators and habitual sex 1548
offenders who are about to be or have been released from 1549
imprisonment, a prison term, or other confinement or detention and 1550
who will live in or near a particular neighborhood or who 1551
otherwise will live in or near a particular neighborhood, it is 1552
the general assembly's intent to protect the safety and general 1553
welfare of the people of this state. The general assembly further 1554
declares that it is the policy of this state to require the 1555
exchange in accordance with this chapter of relevant information 1556
about sexual predators and habitual sex offenders among public 1557
agencies and officials and to authorize the release in accordance 1558
with this chapter of necessary and relevant information about 1559
sexual predators and habitual sex offenders to members of the 1560
general public as a means of assuring public protection and that 1561
the exchange or release of that information is not punitive. 1562

Sec. 2950.03. (A) Each person who has been convicted of, is 1563
convicted of, has pleaded guilty to, or pleads guilty to a 1564
sexually oriented offense and who has a duty to register pursuant 1565
to section 2950.04 of the Revised Code, and each person who is 1566
adjudicated a delinquent child for committing a sexually oriented 1567
offense and who is classified pursuant to section 2152.82 or 1568
division (A) of section 2152.83 of the Revised Code a juvenile sex 1569
offender registrant based on that adjudication, shall be provided 1570
notice in accordance with this section of the offender's or 1571
delinquent child's duty to register under ~~that~~ section 2950.04 of 1572
the Revised Code, the offender's or delinquent child's duty to 1573
provide notice of any change in the offender's or delinquent 1574
child's residence address and to register the new residence 1575

address pursuant to section 2950.05 of the Revised Code, and the 1576
offender's or delinquent child's duty to periodically verify the 1577
offender's or delinquent child's residence address pursuant to 1578
section 2950.06 of the Revised Code. The following official shall 1579
provide the notice to the offender or delinquent child at the 1580
following time: 1581

(1) Regardless of when the offender committed the sexually 1582
oriented offense, if the person is an offender who is sentenced 1583
for the sexually oriented offense to a prison term, a term of 1584
imprisonment, or any other type of confinement, and if, on or 1585
after January 1, 1997, the offender is serving that term or is 1586
under that confinement, the official in charge of the jail, 1587
workhouse, state correctional institution, or other institution in 1588
which the offender serves the prison term, term of imprisonment, 1589
or confinement, or a designee of that official, shall provide the 1590
notice to the offender before the offender is released pursuant to 1591
any type of supervised release or before the offender otherwise is 1592
released from the prison term, term of imprisonment, or 1593
confinement. 1594

(2) Regardless of when the offender committed the sexually 1595
oriented offense, if the person is an offender who is sentenced 1596
for ~~that~~ the sexually oriented offense on or after January 1, 1597
1997, and if division (A)(1) of this section does not apply, the 1598
judge shall provide the notice to the offender at the time of 1599
sentencing. 1600

(3) If the person is an offender who committed the sexually 1601
oriented offense prior to January 1, 1997, if neither division 1602
(A)(1) nor division (A)(2) of this section applies, and if, 1603
immediately prior to January 1, 1997, the offender was a habitual 1604
sex offender who was required to register under Chapter 2950. of 1605
the Revised Code, the chief of police or sheriff with whom the 1606
offender most recently registered under that chapter, in the 1607

circumstances described in this division, shall provide the notice 1608
to the offender. If the offender has registered with a chief of 1609
police or sheriff under Chapter 2950. of the Revised Code as it 1610
existed prior to January 1, 1997, the chief of police or sheriff 1611
with whom the offender most recently registered shall provide the 1612
notice to the offender as soon as possible after January 1, 1997, 1613
as described in division (B)(1) of this section. If the offender 1614
has not registered with a chief of police or sheriff under that 1615
chapter, the failure to register shall constitute a waiver by the 1616
offender of any right to notice under this section. If an offender 1617
described in this division does not receive notice under this 1618
section, the offender is not relieved of the duty to register, the 1619
duty to provide notice of any change in residence address and to 1620
register the new residence address, and the duty to periodically 1621
verify the residence address, as described in division (A) of this 1622
section. 1623

(4) If the ~~offender~~ person is an offender of the type 1624
described in division (A)(1) of this section and if, subsequent to 1625
release, the offender is adjudicated as being a sexual predator 1626
pursuant to division (C) of section 2950.09 of the Revised Code, 1627
the judge shall provide the notice to the offender at the time of 1628
adjudication. 1629

(5) If the person is a delinquent child who is classified 1630
pursuant to section 2152.82 or division (A) of section 2152.83 of 1631
the Revised Code a juvenile sex offender registrant, the judge 1632
shall provide the notice to the delinquent child at the time of 1633
the classification. 1634

(B)(1) The notice provided under division (A) of this section 1635
shall inform the offender or delinquent child of the ~~offender's~~ 1636
duty to register under section 2950.04 of the Revised Code, to 1637
notify the appropriate officials of a change in the offender's or 1638
delinquent child's residence address and to register the new 1639

residence address in accordance with section 2950.05 of the 1640
Revised Code, and to periodically verify a residence address under 1641
section 2950.06 of the Revised Code. The notice shall comport with 1642
the following: 1643

(a) If the notice is provided to an offender under division 1644
(A)(3) of this section, the notice shall be on a form that is 1645
prescribed by the bureau of criminal identification and 1646
investigation and that states the offender's duties to register, 1647
to register a new residence address, and to periodically verify a 1648
residence address and that, if the offender has any questions 1649
concerning these duties, the offender may contact the chief of 1650
police or sheriff who sent the form for an explanation of the 1651
duties. If the offender appears in person before the chief of 1652
police or sheriff, the chief or sheriff shall provide the notice 1653
as described in division (B)(1)(a) of this section, and all 1654
provisions of this section that apply regarding a notice provided 1655
by an official, official's designee, or judge in that manner shall 1656
be applicable. 1657

(b) If the notice is provided to an offender under division 1658
(A)(1), (2), or (4) of this section, the official, official's 1659
designee, or judge shall require the offender to read and sign a 1660
form prescribed by the bureau of criminal identification and 1661
investigation, stating that the offender's duties to register, to 1662
register a new residence address, and to periodically verify a 1663
residence address have been explained to the offender. If the 1664
offender is unable to read, the official, official's designee, or 1665
judge shall certify on the form that the official, designee, or 1666
judge specifically informed the offender of those duties and that 1667
the offender indicated an understanding of those duties. 1668

(c) If the notice is provided to a delinquent child under 1669
division (A)(5) of this section, the judge shall require the 1670
delinquent child and the delinquent child's parent, guardian, or 1671

custodian to read and sign a form prescribed by the bureau of 1672
criminal identification and investigation, stating that the 1673
delinquent child's duties to register, to register a new residence 1674
address, and to periodically verify a residence address have been 1675
explained to the delinquent child and to the delinquent child's 1676
parent, guardian, or custodian. If the delinquent child or the 1677
delinquent child's parent, guardian, or custodian is unable to 1678
read, the judge shall certify on the form that the judge 1679
specifically informed the delinquent child or the delinquent 1680
child's parent, guardian, or custodian of those duties and that 1681
the delinquent child or the delinquent child's parent, guardian, 1682
or custodian indicated an understanding of those duties. 1683

(d) For any notice provided under division (A) of this 1684
section, the form used shall contain all of the information 1685
required by the bureau of criminal identification and 1686
investigation, including, but not limited to, a statement that the 1687
subject delinquent child if applicable has been classified by the 1688
adjudicating juvenile court judge or the judge's successor in 1689
office a juvenile sex offender registrant and has a duty to 1690
register, a statement as to whether the offender or delinquent 1691
child has been adjudicated as being a sexual predator relative to 1692
the sexually oriented offense in question, a statement as to 1693
whether the offender or delinquent child has been determined to be 1694
a habitual sex offender, an explanation of the periodic residence 1695
address verification process and of the frequency with which the 1696
offender or delinquent child will be required to verify the 1697
residence address under that process, and a statement that the 1698
offender or delinquent child must verify the residence address at 1699
the times specified under that process or face criminal 1700
prosecution or a delinquent child proceeding. 1701

~~(d)~~(e) If the notice is provided under division (A)(4) of 1702
this section, in addition to all other information contained on 1703

it, the form also shall include a statement that the notice 1704
replaces any notice previously provided to the offender under 1705
division (A)(1) of this section, a statement that the offender's 1706
duties described in this notice supersede the duties described in 1707
the prior notice, and a statement notifying the offender that, if 1708
the offender already has registered under section 2950.04 of the 1709
Revised Code, the offender must register again pursuant to 1710
division (A)(6) of that section. 1711

(f) If the notice is provided under division (A)(5) of this 1712
section, the form, in addition to all other information contained 1713
on it, shall inform the delinquent child and the delinquent 1714
child's parent, guardian, or custodian that, if the delinquent 1715
child fails to comply with the requirements of sections 2950.04, 1716
2950.05, and 2950.06 of the Revised Code, both of the following 1717
apply: 1718

(i) If the delinquent child's failure occurs while the child 1719
is under eighteen years of age, the child is subject to 1720
proceedings under Chapter 2152. of the Revised Code based on the 1721
failure, but if the failure occurs while the child is eighteen 1722
years of age or older, the child is subject to criminal 1723
prosecution based on the failure. 1724

(ii) If the delinquent child's failure occurs while the child 1725
is under eighteen years of age, unless the child is emancipated, 1726
as defined in section 2919.121 of the Revised Code, the failure of 1727
the parent, guardian, or custodian to ensure that the child 1728
complies with those requirements is a violation of section 2919.24 1729
of the Revised Code and may result in the prosecution of the 1730
parent, guardian, or custodian for that violation. 1731

(2)(a) After an offender described in division (A)(1), (2), 1733
or (4) of this section has signed the form described in division 1734
(B)(1) of this section or the official, official's designee, or 1735

judge has certified on ~~it~~ the form that ~~it~~ the form has been 1736
explained to the offender and that the offender indicated an 1737
understanding of the duties indicated on it, the official, 1738
official's designee, or judge shall give one copy of the form to 1739
the offender, within three days shall send one copy of the form to 1740
the bureau of criminal identification and investigation in 1741
accordance with the procedures adopted pursuant to section 2950.13 1742
of the Revised Code, and shall send one copy of the form to the 1743
sheriff of the county in which the offender expects to reside. 1744
After 1745

(b) After a chief of police or sheriff has sent a form to an 1746
offender under division (A)(3) of this section, the chief or 1747
sheriff shall send a copy of the form to the bureau of criminal 1748
identification and investigation in accordance with the procedures 1749
adopted pursuant to section 2950.13 of the Revised Code. 1750

(c) After a delinquent child described in division (A)(5) of 1751
this section and the delinquent child's parent, guardian, or 1752
custodian have signed the form described in division (B)(1) of 1753
this section or the judge has certified on the form that the form 1754
has been explained to the delinquent child or the delinquent 1755
child's parent, guardian, or custodian and that the delinquent 1756
child or the delinquent child's parent, guardian, or custodian 1757
indicated an understanding of the duties and information indicated 1758
on the form, the judge shall give a copy of the form to both the 1759
delinquent child and to the delinquent child's parent, guardian, 1760
or custodian, within three days shall send one copy of the form to 1761
the bureau of criminal identification and investigation in 1762
accordance with the procedures adopted pursuant to section 2950.13 1763
of the Revised Code, and shall send one copy of the form to the 1764
sheriff of the county in which the delinquent child expects to 1765
reside. 1766

(C) The official, official's designee, judge, chief of 1767

police, or sheriff who is required to provide notice to an 1768
offender or delinquent child under division (A) of this section 1769
shall do all of the following: 1770

(1) If the notice is provided under division (A)(1), (2), ~~or~~ 1771
(4), or (5) of this section, the official, designee, or judge 1772
shall determine the offender's or delinquent child's name, 1773
identifying factors, and expected future residence address, shall 1774
obtain the offender's or delinquent child's criminal and 1775
delinquency history, and shall obtain a photograph and the 1776
fingerprints of the offender or delinquent child. If the notice is 1777
provided by a judge under division (A)(2) ~~or~~, (4), or (5) of this 1778
section, the sheriff shall provide the offender's or delinquent 1779
child's criminal and delinquency history to the judge. The 1780
official, official's designee, or judge shall obtain this 1781
information and these items prior to giving the notice, except 1782
that a judge may give the notice prior to obtaining the offender's 1783
or delinquent child's criminal and delinquency history. Within 1784
three days after receiving this information and these items, the 1785
official, official's designee, or judge shall forward the 1786
information and items to the bureau of criminal identification and 1787
investigation in accordance with the forwarding procedures adopted 1788
pursuant to section 2950.13 of the Revised Code and to the sheriff 1789
of the county in which the offender or delinquent child expects to 1790
reside. If the notice is provided under division (A)(5) of this 1791
section and if the delinquent child has been committed to the 1792
department of youth services or to a secure facility, the judge, 1793
in addition to the other information and items described in this 1794
division, also shall forward to the bureau and to the sheriff 1795
notification that the child has been so committed. If it has not 1796
already done so, the bureau of criminal identification and 1797
investigation shall forward a copy of the fingerprints and 1798
conviction data received under this division to the federal bureau 1799

of investigation. 1800

(2) If the notice is provided under division (A)(3) of this 1801
section, the chief of police or sheriff shall determine the 1802
offender's name, identifying factors, and residence address, shall 1803
obtain the offender's criminal history from the bureau of criminal 1804
identification and investigation, and, to the extent possible, 1805
shall obtain a photograph and the fingerprints of the offender. 1806
Within three days after receiving this information and these 1807
items, the chief or sheriff shall forward the information and 1808
items to the bureau of criminal identification and investigation 1809
in accordance with the forwarding procedures adopted pursuant to 1810
section 2950.13 of the Revised Code and, in relation to a chief of 1811
police, to the sheriff of the county in which the offender 1812
resides. If it has not already done so, the bureau of criminal 1813
identification and investigation shall forward a copy of the 1814
fingerprints and conviction data so received to the federal bureau 1815
of investigation. 1816

Sec. 2950.04. (A)~~(1)~~ Each of the following types of offender 1817
who is convicted of or pleads guilty to, or has been convicted of 1818
or pleaded guilty to, a sexually oriented offense ~~and who is~~ 1819
~~described in division (A)(1), (2), or (3) of this section~~ shall 1820
register personally with the sheriff of the ~~following applicable~~ 1821
~~described~~ county and at the following time within seven days of 1822
the offender's coming into a county in which the offender resides 1823
or temporarily is domiciled for more than seven days: 1824

~~(1)(a)~~ Regardless of when the sexually oriented offense was 1825
committed, ~~if the~~ an offender who is sentenced for the sexually 1826
oriented offense to a prison term, a term of imprisonment, or any 1827
other type of confinement and ~~if,~~ on or after July 1, 1997, ~~the~~ 1828
~~offender~~ is released in any manner from the prison term, term of 1829
imprisonment, or confinement, ~~within seven days of the offender's~~ 1830
~~coming into any county in which the offender resides or~~ 1831

~~temporarily is domiciled for more than seven days, the offender shall register with the sheriff of that county.;~~ 1832
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~~(2)(b) Regardless of when the sexually oriented offense was committed, if the an offender who is sentenced for a sexually oriented offense on or after July 1, 1997, and if to whom division (A)(1)(a) of this section does not apply, within seven days of the offender's coming into any county in which the offender resides or temporarily is domiciled for more than seven days, the offender shall register with the sheriff of that county.;~~ 1834
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~~(3)(c) If the sexually oriented offense was committed prior to July 1, 1997, if and neither division (A)(1)(a) nor division (A)(2)(1)(b) of this section applies, and if an offender who, immediately prior to July 1, 1997, the offender was a habitual sex offender who was required to register under Chapter 2950. of the Revised Code, within seven days of the offender's coming into any county in which the offender resides or temporarily is domiciled for more than seven days, the offender shall register with the sheriff of that county.~~ 1841
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(2) Each child who is adjudicated a delinquent child for committing a sexually oriented offense, who is classified a juvenile sex offender registrant based on that adjudication, and who is described in division (A)(2) of this section shall register personally with the sheriff of the county within seven days of the delinquent child's coming into a county in which the delinquent child resides or temporarily is domiciled for more than seven days. If the delinquent child is committed for the sexually oriented offense to the department of youth services or to a secure facility that is not operated by the department, this duty begins when the delinquent child is discharged or released in any manner from custody in a department of youth services secure facility or from the secure facility that is not operated by the department, if pursuant to the discharge or release the delinquent 1850
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child is not committed to any other secure facility of the 1864
department or any other secure facility. The delinquent child does 1865
not have a duty to register under this division while the child is 1866
in a department of youth services secure facility or in a secure 1867
facility that is not operated by the department. 1868

~~+4~~(3) If divisions (A)(1) and (2) of this section do not 1869
apply, each following type of offender and each following type of 1870
delinquent child shall register personally with the sheriff of the 1871
county within seven days of the offender's or delinquent child's 1872
coming into a county in which the offender or delinquent child 1873
resides or temporarily is domiciled for more than seven days: 1874

(a) Regardless of when the sexually oriented offense was 1875
committed, if divisions (A)(1), (2), and (3) of this section do 1876
not apply, if the offender a person who is convicted of or, pleads 1877
guilty to, or is adjudicated a delinquent child for committing a 1878
sexually oriented offense in another state or in a federal court, 1879
military court, or an Indian tribal court, if, on or after July 1, 1880
1997, for offenders, or the effective date of this amendment for 1881
delinquent children, the offender or delinquent child moves to and 1882
resides in this state or temporarily is domiciled in this state 1883
for more than seven days, and if, at the time the offender or 1884
delinquent child moves to and resides in this state or temporarily 1885
is domiciled in this state for more than seven days, the offender 1886
or delinquent child has a duty to register as a sex offender under 1887
the law of that other jurisdiction as a result of the conviction 1888
or, guilty plea, within seven days of the offender's coming into 1889
any county in which the offender resides or temporarily is 1890
domiciled for more than seven days, the offender shall register 1891
with the sheriff of that county or adjudication. 1892

~~+5~~(b) Regardless of when the sexually oriented offense was 1893
committed, if divisions (A)(1), (2), and (3) of this section do 1894
not apply, if the offender a person who is convicted of or, pleads 1895

guilty to, or is adjudicated a delinquent child for committing a 1896
sexually oriented offense in another state or in a federal court, 1897
military court, or an Indian tribal court, if, on or after July 1, 1898
1997, for offenders, or the effective date of this amendment for 1899
delinquent children, the offender or delinquent child is released 1900
from imprisonment ~~or,~~ confinement, or detention imposed for that 1901
offense, and if, on or after July 1, 1997, for offenders, or the 1902
effective date of this amendment for delinquent children, the 1903
offender or delinquent child moves to and resides in this state or 1904
temporarily is domiciled in this state for more than seven days, 1905
~~within seven days of the offender's coming into any county in~~ 1906
~~which the offender resides or temporarily is domiciled for more~~ 1907
~~than seven days the offender shall register with the sheriff of~~ 1908
~~that county.~~ The duty to register as described in this division 1909
applies to an offender regardless of whether the offender, at the 1910
time of moving to and residing in this state or temporarily being 1911
domiciled in this state for more than seven days, has a duty to 1912
register as a sex offender under the law of the jurisdiction in 1913
which the conviction or guilty plea occurred. The duty to register 1914
as described in this division applies to a delinquent child only 1915
if the delinquent child, at the time of moving to and residing in 1916
this state or temporarily being domiciled in this state for more 1917
than seven days, has a duty to register as a sex offender under 1918
the law of the jurisdiction in which the delinquent child 1919
adjudication occurred or if, had the delinquent child adjudication 1920
occurred in this state, the adjudicating juvenile court judge 1921
would have been required to issue an order classifying the 1922
delinquent child as a juvenile sex offender registrant pursuant to 1923
section 2152.82 or division (A) of section 2152.83 of the Revised 1924
Code. 1925

+6+(4) If division (A)(1)(a) of this section applies and if, 1926
subsequent to the offender's release, the offender is adjudicated 1927
to be a sexual predator under division (C) of section 2950.09 of 1928

the Revised Code, the offender shall register within seven days of 1929
the adjudication with the sheriff of the county in which the 1930
offender resides or temporarily is domiciled for more than seven 1931
days and shall register with the sheriff of any county in which 1932
the offender subsequently resides or temporarily is domiciled for 1933
more than seven days within seven days of coming into that county. 1934

(5) A person who is adjudicated a delinquent child for 1935
committing a sexually oriented offense is not required to register 1936
under division (A)(2) of this section unless the delinquent child 1937
committed the offense on or after the effective date of this 1938
amendment, is classified a juvenile sex offender registrant by a 1939
juvenile court judge pursuant to an order issued under section 1940
2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code based on 1941
that adjudication, and has a duty to register pursuant to division 1942
(A)(2) of this section. 1943

(B) An offender or delinquent child who is required by 1944
division (A) of this section to register personally shall obtain 1945
from the sheriff or from a designee of the sheriff a registration 1946
form that conforms to division (C) of this section, shall complete 1947
and sign the form, and shall return the completed form together 1948
with the offender's or delinquent child's photograph to the 1949
sheriff or the designee. The sheriff or designee shall sign the 1950
form and indicate on the form the date on which it is so returned. 1951
The registration required under this division is complete when the 1952
offender or delinquent child returns the form, containing the 1953
requisite information, photograph, signatures, and date, to the 1954
sheriff or designee. 1955

(C) The registration form to be used under divisions (A) and 1956
(B) of this section shall contain the current residence address of 1957
the offender or delinquent child who is registering, the name and 1958
address of the offender's or delinquent child's employer, if the 1959
offender or delinquent child is employed at the time of 1960

registration or if the offender or delinquent child knows at the 1961
time of registration that the offender or delinquent child will be 1962
commencing employment with that employer subsequent to 1963
registration, and any other information required by the bureau of 1964
criminal identification and investigation and shall include the 1965
offender's or delinquent child's photograph. Additionally, if the 1966
offender or delinquent child has been adjudicated as being a 1967
sexual predator relative to the sexually oriented offense in 1968
question and the court has not subsequently determined pursuant to 1969
division (D) of section 2950.09, section 2152.84, or section 1970
2152.85 of the Revised Code that the offender or delinquent child 1971
no longer is a sexual predator or if the ~~sentencing~~ judge 1972
determined pursuant to division (C) of section 2950.09, division 1973
(B) of section 2152.83, section 2152.84, or section 2152.85 of the 1974
Revised Code that the offender or delinquent child is a habitual 1975
sex offender, and the determination has not been removed pursuant 1976
to section 2152.84 or 2152.85 of the Revised Code, the offender or 1977
delinquent child shall include on the signed, written registration 1978
form all of the following information: 1979

(1) A specific declaration that the person has been 1980
adjudicated as being a sexual predator or has been determined to 1981
be a habitual sex offender, whichever is applicable; 1982

(2) If the offender or delinquent child has been adjudicated 1983
as being a sexual predator, the identification license plate 1984
number of each motor vehicle the offender or delinquent child owns 1985
and of each motor vehicle registered in the offender's or 1986
delinquent child's name. 1987

(D) After an offender or delinquent child registers with a 1988
sheriff pursuant to this section, the sheriff shall forward the 1989
signed, written registration form and photograph to the bureau of 1990
criminal identification and investigation in accordance with the 1991
forwarding procedures adopted pursuant to section 2950.13 of the 1992

Revised Code. The bureau shall include the information and 1993
materials forwarded to it under this division in the state 1994
registry of sex offenders established and maintained under section 1995
2950.13 of the Revised Code. 1996

(E) No person who is required to register pursuant to 1997
divisions (A) and (B) of this section shall fail to register as 1998
required in accordance with those divisions or that division. 1999

(F) An offender or delinquent child who is required to 2000
register pursuant to divisions (A) and (B) of this section shall 2001
register pursuant to this section for the period of time specified 2002
in section 2950.07 of the Revised Code. 2003

Sec. 2950.05. (A) If an offender or delinquent child is 2004
required to register pursuant to section 2950.04 of the Revised 2005
Code, the offender or delinquent child, at least seven days prior 2006
to changing the offender's or delinquent child's residence address 2007
during the period during which the offender or delinquent child is 2008
required to register, shall provide written notice of the 2009
residence address change to the sheriff with whom the offender or 2010
delinquent child most recently registered under section 2950.04 of 2011
the Revised Code or under division (B) of this section. 2012

(B) If an offender or delinquent child is required to provide 2013
notice of a residence address change under division (A) of this 2014
section, the offender or delinquent child, at least seven days 2015
prior to changing the residence address, also shall register the 2016
new residence address in the manner described in divisions (B) and 2017
(C) of section 2950.04 of the Revised Code with the sheriff of the 2018
county in which the offender's or delinquent child's new residence 2019
address is located, subject to division (C) of this section. 2020

(C) Divisions (A) and (B) of this section apply to a person 2022
who is required to register pursuant to section 2950.04 of the 2023

Revised Code regardless of whether the new residence address is in
this state or in another state. If the new residence address is in
another state, the person shall register with the appropriate law
enforcement officials in that state in the manner required under
the law of that state and within the earlier of the period of time
required under the law of that state or at least seven days prior
to changing the residence address.

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

(2) When an offender or delinquent child registers a new
residence address pursuant to division (B) of this section, the
sheriff with whom the offender or delinquent child registers and
the bureau of criminal identification and investigation shall
comply with division (D) of section 2950.04 of the Revised Code.

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

(2) No person who is required to register a new residence

address with a sheriff or with an official of another state 2056
pursuant to divisions (B) and (C) of this section shall fail to 2057
register with the appropriate sheriff or official of the other 2058
state in accordance with those divisions. 2059

(F) An offender or delinquent child who is required to comply 2060
with divisions (A), (B), and (C) of this section shall do so for 2061
the period of time specified in section 2950.07 of the Revised 2062
Code. 2063

Sec. 2950.06. (A) An offender or delinquent child who is 2064
required to register pursuant to section 2950.04 of the Revised 2065
Code shall periodically verify the offender's or delinquent 2066
child's current residence address in accordance with this section. 2067
The frequency of verification shall be determined in accordance 2068
with division (B) of this section, and the manner of verification 2069
shall be determined in accordance with division (C) of this 2070
section. 2071

(B) The frequency with which an offender or delinquent child 2072
must verify the offender's or delinquent child's current residence 2073
address pursuant to division (A) of this section shall be 2074
determined as follows: 2075

(1) Regardless of when the sexually oriented offense for 2076
which the offender or delinquent child is required to register was 2077
committed, if the offender or delinquent child has been 2078
adjudicated as being a sexual predator relative to the sexually 2079
oriented offense and if the court has not subsequently entered a 2080
determination pursuant to division (D) of section 2950.09, section 2081
2152.84, or section 2152.85 of the Revised Code that the offender 2082
or delinquent child no longer is a sexual predator, the offender 2083
or delinquent child shall verify the offender's or delinquent 2084
child's current residence address in accordance with division (C) 2085
of this section every ninety days after the offender's or 2086

delinquent child's initial registration date during the period the 2087
offender or delinquent child is required to register. 2088

(2) In all circumstances not described in division (B)(1) of 2089
this section, the offender or delinquent child shall verify the 2090
offender's or delinquent child's current residence address in 2091
accordance with division (C) of this section on each anniversary 2092
of the offender's or delinquent child's initial registration date 2093
during the period the offender or delinquent child is required to 2094
register. 2095

(C)(1) An offender or delinquent child who is required to 2096
verify the offender's or delinquent child's current residence 2097
address pursuant to division (A) of this section shall verify the 2098
address with the sheriff with whom the offender or delinquent 2099
child most recently registered by personally appearing before the 2100
sheriff or a designee of the sheriff, no earlier than ten days 2101
before the date on which the verification is required pursuant to 2102
division (B) of this section and no later than the date so 2103
required for verification, and completing and signing a copy of 2104
the verification form prescribed by the bureau of criminal 2105
identification and investigation. The sheriff or designee shall 2106
sign the completed form and indicate on the form the date on which 2107
it is so completed. The verification required under this division 2108
is complete when the offender or delinquent child personally 2109
appears before the sheriff or designee and completes and signs the 2110
form as described in this division. 2111

(2) To facilitate the verification of an offender's or 2112
delinquent child's current residence address under division (C)(1) 2113
of this section, the sheriff with whom the offender or delinquent 2114
child most recently registered may mail a nonforwardable 2115
verification form prescribed by the bureau of criminal 2116
identification and investigation to the offender's or delinquent 2117
child's last reported address and to the last reported address of 2118

the parents of the delinquent child, with a notice that 2119
conspicuously states that the offender or delinquent child must 2120
personally appear before the sheriff or a designee of the sheriff 2121
to complete the form and the date by which the form must be so 2122
completed. Regardless of whether a sheriff mails a form to an 2123
offender or delinquent child and that child's parents, each 2124
offender or delinquent child who is required to verify the 2125
offender's or delinquent child's current residence address 2126
pursuant to division (A) of this section shall personally appear 2127
before the sheriff or a designee of the sheriff to verify the 2128
address in accordance with division (C)(1) of this section. 2129

(D) The verification form to be used under division (C) of 2130
this section shall contain the current residence address of the 2131
offender or delinquent child, the name and address of the 2132
offender's or delinquent child's employer if the offender or 2133
delinquent child is employed at the time of verification or if the 2134
offender or delinquent child knows at the time of verification 2135
that the offender or delinquent child will be commencing 2136
employment with that employer subsequent to verification, and any 2137
other information required by the bureau of criminal 2138
identification and investigation. 2139

(E) Upon an offender's or delinquent child's personal 2140
appearance and completion of a verification form under division 2141
(C) of this section, a sheriff promptly shall forward a copy of 2142
the verification form to the bureau of criminal identification and 2143
investigation in accordance with the forwarding procedures adopted 2144
by the attorney general pursuant to section 2950.13 of the Revised 2145
Code. The bureau shall include all information forwarded to it 2146
under this division in the state registry of sex offenders 2147
established and maintained under section 2950.13 of the Revised 2148
Code. 2149

(F) No person who is required to verify a current residence 2150

address pursuant to divisions (A) to (C) of this section shall
fail to verify a current residence address in accordance with
those divisions by the date required for the verification as set
forth in division (B) of this section, provided that no person
shall be prosecuted or subjected to a delinquent child proceeding
for a violation of this division, and that no parent, guardian, or
custodian of a delinquent child shall be prosecuted for a
violation of section 2919.24 of the Revised Code based on the
delinquent child's violation of this division, prior to the
expiration of the period of time specified in division (G) of this
section.

(G)(1) If an offender or delinquent child fails to verify a
current residence address as required by divisions (A) to (C) of
this section by the date required for the verification as set
forth in division (B) of this section, the sheriff with whom the
offender or delinquent child is required to verify the current
residence address, on the day following that date required for the
verification, shall send a written warning to the offender or to
the delinquent child and that child's parents, at the offender's
or delinquent child's and that child's parents last known
residence address, regarding the offender's or delinquent child's
duty to verify the offender's or delinquent child's current
residence address. The

The written warning shall identify do all of the following:

(a) Identify the sheriff who sends it and the date on which
it is sent ~~and shall state;~~

(b) State conspicuously that the offender or delinquent child
has failed to verify the offender's or delinquent child's current
residence address by the date required for the verification_{7i}

(c) Conspicuously state that the offender or delinquent child

has seven days from the date on which the warning is sent to 2182
verify the current residence address with the sheriff who sent the 2183
warning; 2184

(d) Conspicuously state that a failure to timely verify the 2185
current residence address is a felony offense; 2186

(e) Conspicuously state that, if the offender or delinquent 2187
child verifies the current residence address with that sheriff 2188
within that seven-day-period, the offender or delinquent child 2189
will not be prosecuted or subjected to a delinquent child 2190
proceeding for a failure to timely verify a current residence 2191
address; and the delinquent child's parent, guardian, or custodian 2192
will not be prosecuted based on a failure of the delinquent child 2193
to timely verify an address; 2194

(f) Conspicuously state that, if the offender or delinquent 2195
child does not verify the current residence address with that 2196
sheriff within that seven-day-period, the offender or delinquent 2197
child will be arrested or taken into custody, as appropriate, and 2198
prosecuted or subjected to a delinquent child proceeding for a 2199
failure to timely verify a current residence address and the 2200
delinquent child's parent, guardian, or custodian may be 2201
prosecuted for a violation of section 2919.24 of the Revised Code 2202
based on the delinquent child's failure to timely verify a current 2203
residence address. 2204

(2) If an offender or delinquent child fails to verify a 2205
current residence address as required by divisions (A) to (C) of 2206
this section by the date required for the verification as set 2207
forth in division (B) of this section, the offender or delinquent 2208
child shall not be prosecuted or subjected to a delinquent child 2209
proceeding for a violation of division (F) of this section, and 2210
the delinquent child's parent, guardian, or custodian shall not be 2211
prosecuted for a violation of section 2919.24 of the Revised Code 2212
based on the delinquent child's failure to timely verify a current 2213

residence address, unless the seven-day-period subsequent to that 2214
date that the offender or delinquent child is provided under 2215
division (G)(1) of this section to verify the current residence 2216
address has expired and the offender or delinquent child, prior to 2217
the expiration of that seven-day-period, has not verified the 2218
current residence address. Upon the expiration of the 2219
seven-day-period that the offender or delinquent child is provided 2220
under division (G)(1) of this section to verify the current 2221
residence address has expired, if the offender or delinquent child 2222
has not verified the current residence address, all of the 2223
following apply: 2224

(a) The sheriff with whom the offender or delinquent child is 2225
required to verify the current residence address promptly shall 2226
notify the bureau of criminal identification and investigation of 2227
the failure. 2228

(b) The sheriff with whom the offender or delinquent child is 2229
required to verify the current residence address, the sheriff of 2230
the county in which the offender or delinquent child resides, or a 2231
deputy of the appropriate sheriff, shall locate the offender or 2232
delinquent child, promptly shall seek a warrant for the arrest or 2233
taking into custody, as appropriate, of the offender or delinquent 2234
child for the violation of division (F) of this section and shall 2235
arrest the offender or take the child into custody, as 2236
appropriate. 2237

(c) The offender or delinquent child is subject to 2238
prosecution or a delinquent child proceeding for the violation of 2239
division (F) of this section, and the delinquent child's parent, 2240
guardian, or custodian may be subject to prosecution for a 2241
violation of section 2919.24 of the Revised Code based on the 2242
delinquent child's violation of that division. 2243

(H) A person who is required to verify the person's current 2244
residence address pursuant to divisions (A) to (C) of this section 2245

shall do so for the period of time specified in section 2950.07 of
the Revised Code.

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Sec. 2950.07. (A) The duty of an offender who is convicted of
or pleads guilty to, or has been convicted of or pleaded guilty
to, a sexually oriented offense and the duty of a delinquent child
who is adjudicated a delinquent child for committing a sexually
oriented offense and is classified a juvenile sex offender
registrant or who is an out-of-state juvenile sex offender
registrant to comply with sections 2950.04, 2950.05, and 2950.06
of the Revised Code commences on whichever of the following dates
is applicable:

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

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(2) If the offender's duty to register is imposed pursuant to
division (A)~~(2)~~(1)(b) of section 2950.04 of the Revised Code, the
offender's duty to comply with those sections commences on the
date of entry of the judgment of conviction of the sexually
oriented offense or on July 1, 1997, whichever is later.

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

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(4) If the offender's or delinquent child's duty to register
is imposed pursuant to division (A)~~(4)~~ or (5)(3)(a) or (b) of
section 2950.04 of the Revised Code, the offender's duty to comply
with those sections commences on ~~the effective date of this~~
~~amendment~~ March 30, 1999, or on the date that the offender begins

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to reside or becomes temporarily domiciled in this state, 2277
whichever is later, and the delinquent child's duty commences on 2278
the effective date of this amendment or on the date the delinquent 2279
child begins to reside or becomes temporarily domiciled in this 2280
state, whichever is later. 2281

(5) If the delinquent child's duty to register is imposed 2282
pursuant to division (A)(2) of section 2950.04 of the Revised 2283
Code, if the delinquent child's classification as a juvenile sex 2284
offender registrant is made at the time of the child's disposition 2285
for that sexually oriented offense, and if the delinquent child is 2286
committed for the sexually oriented offense to the department of 2287
youth services or to a secure facility that is not operated by the 2288
department, the delinquent child's duty to comply with those 2289
sections commences on the date of the delinquent child's discharge 2290
or release from custody in the department of youth services secure 2291
facility or from the secure facility not operated by the 2292
department as described in that division. 2293

(6) If the delinquent child's duty to register is imposed 2294
pursuant to division (A)(2) of section 2950.04 of the Revised Code 2295
and if either the delinquent child's classification as a juvenile 2296
sex offender registrant is made at the time of the child's 2297
disposition for that sexually oriented offense and the delinquent 2298
child is not committed for the sexually oriented offense to the 2299
department of youth services or to a secure facility that is not 2300
operated by the department or the child's classification as a 2301
juvenile sex offender registrant is made pursuant to sections 2302
2152.83 of the Revised Code, the delinquent child's duty to comply 2303
with those sections commences on the date of entry of the court's 2304
order that classifies the delinquent child a juvenile sex offender 2305
registrant. 2306

(B) The duty of an offender who is convicted of or pleads 2307
guilty to, or has been convicted of or ~~pleads~~ pleaded guilty to, a 2308

sexually oriented offense and the duty of a delinquent child who 2309
is adjudicated a delinquent child for committing a sexually 2310
oriented offense and is classified a juvenile sex offender 2311
registrant or who is an out-of-state juvenile sex offender 2312
registrant to comply with sections 2950.04, 2950.05, and 2950.06 2313
of the Revised Code continues, after the date of commencement, for 2314
whichever of the following periods is applicable: 2315

(1) Except as otherwise provided in this division, if the 2316
offender or delinquent child has been adjudicated as being a 2317
sexual predator relative to the sexually oriented offense, the 2318
offender's or delinquent child's duty to comply with those 2319
sections continues until the offender's or delinquent child's 2320
death. If the judge who sentenced the offender or made the 2321
disposition for the delinquent child or that judge's successor in 2322
office subsequently enters a determination pursuant to division 2323
(D) of section 2950.09 or pursuant to section 2152.84 or 2152.85 2324
of the Revised Code that the offender or delinquent child no 2325
longer is a sexual predator, the offender's or delinquent child's 2326
duty to comply with those sections continues for the period of 2327
time that otherwise would have been applicable to the offender or 2328
delinquent child under division (B)(2) or (3) of this section. 2329

(2) If the judge who sentenced the offender or made the 2330
disposition for the delinquent child for committing the sexually 2331
oriented offense, or the successor in office of the juvenile court 2332
judge who made the delinquent child disposition, determined 2333
pursuant to division (E) of section 2950.09 or pursuant to 2334
division (B) of section 2152.83, section 2152.84, or section 2335
2152.85 of the Revised Code that the offender or delinquent child 2336
is a habitual sex offender, the offender's or delinquent child's 2337
duty to comply with those sections continues for twenty years. If 2338
a delinquent child is determined pursuant to division (E) of 2339
section 2950.09 or pursuant to division (B) of section 2152.83, 2340

section 2152.84, or section 2152.85 of the Revised Code to be a 2341
habitual sex offender and if the judge who made the disposition 2342
for the delinquent child or that judge's successor in office 2343
subsequently enters a determination pursuant to section 2152.84 or 2344
2152.85 of the Revised Code that the delinquent child no longer is 2345
a habitual sex offender but remains a juvenile sex offender 2346
registrant, the delinquent child's duty to comply with those 2347
sections continues for the period of time that otherwise would 2348
have been applicable to the delinquent child under division (B)(3) 2349
of this section. 2350

(3) If neither division (B)(1) nor (B)(2) of this section 2351
applies, the offender's or delinquent child's duty to comply with 2352
those sections continues for ten years. If a delinquent child is 2353
classified pursuant to section 2152.82 or 2152.83 of the Revised 2354
Code a juvenile sex offender registrant and if the judge who made 2355
the disposition for the delinquent child or that judge's successor 2356
in office subsequently enters a determination pursuant to section 2357
2152.84 or 2152.85 of the Revised Code that the delinquent child 2358
no longer is to be classified a juvenile sex offender registrant, 2359
the delinquent child's duty to comply with those sections 2360
terminates upon the court's entry of the determination. 2361

(C)(1) If an offender has been convicted of or pleaded guilty 2362
to a sexually oriented offense or a delinquent child has been 2363
adjudicated a delinquent child for committing a sexually oriented 2364
offense and is classified a juvenile sex offender registrant or is 2365
an out-of-state juvenile sex offender registrant, and if the 2366
offender subsequently is convicted of or pleads guilty to another 2367
sexually oriented offense or the delinquent child subsequently is 2368
adjudicated a delinquent child for committing another sexually 2369
oriented offense and is classified a juvenile sex offender 2370
registrant relative to that offense or subsequently is convicted 2371
of or pleads guilty to another sexually oriented offense, the 2372

period of time for which the offender or delinquent child must 2373
comply with the sections specified in division (A) of this section 2374
shall be separately calculated pursuant to divisions (A)(1), (2), 2375
and (3), (4), (5), (6), and (7) of this section for each of the 2376
sexually oriented offenses, and the separately calculated periods 2377
of time shall be complied with independently. 2378

If a delinquent child has been adjudicated a delinquent child 2379
for committing a sexually oriented offense, is classified a 2380
juvenile sex offender registrant or is an out-of-state juvenile 2381
sex offender registrant relative to the offense, and, after 2382
attaining eighteen years of age, subsequently is convicted of or 2383
pleads guilty to another sexually oriented offense, the subsequent 2384
conviction or guilty plea does not limit, affect, or supersede the 2385
duties imposed upon the delinquent child under this chapter 2386
relative to the delinquent child's classification as a juvenile 2387
sex offender registrant or as an out-of-state juvenile sex 2388
offender registrant, and the delinquent child shall comply with 2389
both those duties and the duties imposed under this chapter 2390
relative to the subsequent conviction or guilty plea. 2391

(2) If a delinquent child has been adjudicated a delinquent 2392
child for committing on or after the effective date of this 2393
amendment a sexually oriented offense and is classified a juvenile 2394
sex offender registrant relative to the offense, if the order 2395
containing the classification also contains a determination by the 2396
juvenile judge that the delinquent child is a sexual predator or a 2397
habitual sex offender, and if the juvenile judge or the judge's 2398
successor in office subsequently determines pursuant to section 2399
2152.84 or 2152.85 of the Revised Code that the delinquent child 2400
no longer is a sexual predator or habitual sex offender, the 2401
judge's subsequent determination does not affect the date of 2402
commencement of the delinquent child's duty to comply with 2403
sections 2950.04, 2950.05, and 2950.06 of the Revised Code as 2404

determined under division (A) of this section. 2405

(D) The duty of an offender or delinquent child to register 2406
under this chapter is tolled for any period during which the 2407
offender or delinquent child is returned to confinement in a 2408
secure facility for any reason or imprisoned for an offense when 2409
the confinement in a secure facility or imprisonment occurs 2410
subsequent to the date determined pursuant to division (A) of this 2411
section. The offender's or delinquent child's duty to register 2412
under this chapter resumes upon the offender's or delinquent 2413
child's release from confinement in a secure facility or 2414
imprisonment. 2415

(E) An offender or delinquent child who has been convicted of 2416
or pleaded guilty to, or has been or is adjudicated a delinquent 2417
child for committing, a sexually oriented offense in another state 2418
or in a federal court, military court, or an Indian tribal court 2419
may apply to the sheriff of the county in which the offender or 2420
delinquent child resides or temporarily is domiciled for credit 2421
against the duty to register for the time that the offender or 2422
delinquent child has complied with the sex offender registration 2423
requirements of another jurisdiction. The sheriff shall grant the 2424
offender or delinquent child credit against the duty to register 2425
for time for which the offender or delinquent child provides 2426
adequate proof that the offender or delinquent child has complied 2427
with the sex offender registration requirements of another 2428
jurisdiction. If the offender or delinquent child disagrees with 2429
the determination of the sheriff, the offender or delinquent child 2430
may appeal the determination to the court of common pleas of the 2431
county in which the offender or delinquent child resides or is 2432
temporarily domiciled. 2433

Sec. 2950.081. (A) Any statements, information, photographs, 2434
or fingerprints that section 2950.04, 2950.05, or 2950.06 of the 2435

Revised Code requires a person to provide, that are provided by a 2436
person who registers, who provides notice of a change of residence 2437
address and registers the new residence address, or who provides 2438
verification of a current residence address pursuant to any 2439
provision of those sections, and that are in the possession of a 2440
county sheriff are public records open to public inspection under 2441
section 149.43 of the Revised Code. 2442

(B) Except when the act that is the basis of a child's 2443
classification as a juvenile sex offender registrant is a 2444
violation of, or an attempt to commit a violation of, section 2445
2903.01, 2903.02, or 2905.01 of the Revised Code that was 2446
committed with a purpose to gratify the sexual needs or desires of 2447
the child, a violation of section 2907.02 of the Revised Code, or 2448
an attempt to commit a violation of that section, the sheriff 2449
shall not cause to be publicly disseminated by means of the 2450
internet any statements, information, photographs, or fingerprints 2451
that are provided by a juvenile sex offender registrant who 2452
registers, who provides notice of a change of residence address 2453
and registers the new residence address, or who provides 2454
verification of a current residence address pursuant to this 2455
chapter and that are in the possession of a county sheriff. 2456

Sec. 2950.09. (A) If a person is convicted of or pleads 2457
guilty to committing, on or after January 1, 1997, a sexually 2458
oriented offense that is a sexually violent offense and also is 2459
convicted of or pleads guilty to a sexually violent predator 2460
specification that was included in the indictment, count in the 2461
indictment, or information charging the sexually violent offense, 2462
the conviction of plea of guilty to the specification 2463
automatically classifies the offender as a sexual predator for 2464
purposes of this chapter. If a person is convicted of ~~or~~, pleads 2465
guilty to, or is adjudicated a delinquent child for committing, a 2466

sexually oriented offense in another state, or in a federal court, 2467
military court, or an Indian tribal court and if, as a result of 2468
that conviction ~~or~~, plea of guilty, or adjudication, the person is 2469
required, under the law of the jurisdiction in which the person 2470
was convicted ~~or~~, pleaded guilty, or was adjudicated, to register 2471
as a sex offender until the person's death and is required to 2472
verify the person's address on at least a quarterly basis each 2473
year, that conviction ~~or~~, plea of guilty, or adjudication 2474
automatically classifies the ~~offender~~ person as a sexual predator 2475
for the purposes of this chapter, but the ~~offender~~ person may 2476
challenge that classification pursuant to division (F) of this 2477
section. In all other cases, a person who is convicted of or 2478
pleads guilty to, ~~or~~ has been convicted of or pleaded guilty to, 2479
or is adjudicated a delinquent child for committing, a sexually 2480
oriented offense may be classified as a sexual predator for 2481
purposes of this chapter only in accordance with division (B) or 2482
(C) of this section or, regarding delinquent children, divisions 2483
(B) and (C) of section 2152.83 of the Revised Code. 2484

(B)(1) The judge who is to impose sentence on a person who is 2485
convicted of or pleads guilty to a sexually oriented offense or 2486
the judge who is to impose or has imposed, pursuant to section 2487
2152.82 or division (A) of section 2152.83 of the Revised Code, an 2488
order of disposition upon a child who is adjudicated a delinquent 2489
child for committing on or after the effective date of this 2490
amendment a sexually oriented offense shall conduct a hearing to 2491
determine whether the offender is a sexual predator if any of the 2492
following circumstances apply: 2493

(a) Regardless of when the sexually oriented offense was 2494
committed, if a person the offender is to be sentenced on or after 2495
January 1, 1997, for a sexually oriented offense that is not a 2496
sexually violent offense, or if a person. 2497

(b) Regardless of when the sexually oriented offense was 2498

~~committed, the offender is to be sentenced on or after January 1, 1997, for a sexually oriented offense that is a sexually violent offense and a sexually violent predator specification was not included in the indictment, count in the indictment, or information charging the sexually violent offense, the judge who is to impose sentence upon the offender shall conduct a hearing to determine whether the offender is a sexual predator. The judge,~~

(c) The delinquent child was classified a juvenile sex offender registrant pursuant to section 2152.82 or division (A) of section 2152.83 of the Revised Code. A judge shall not conduct a hearing under division (B) of this section regarding a delinquent child unless the delinquent child is in the category of delinquent children described in this division.

(2) The judge shall conduct the hearing prior to sentencing and, if the sexually oriented offense is a felony, and if the hearing is being conducted under division (B)(1)(a) or (b) of this section, the judge may conduct it as part of the sentencing hearing required by section 2929.19 of the Revised Code. The court shall give the offender or delinquent child and the prosecutor who prosecuted the offender or handled the case against the delinquent child for the sexually oriented offense notice of the date, time, and location of the hearing. At the hearing, the offender or delinquent child and the prosecutor shall have an opportunity to testify, present evidence, call and examine witnesses and expert witnesses, and cross-examine witnesses and expert witnesses regarding the determination as to whether the offender or delinquent child is a sexual predator. The offender or delinquent child shall have the right to be represented by counsel and, if indigent, the right to have counsel appointed to represent the offender or delinquent child.

~~(2)~~(3) In making a determination under divisions (B)(1) and ~~(3)~~(4) of this section as to whether an offender or delinquent

child is a sexual predator, the judge shall consider all relevant factors, including, but not limited to, all of the following:

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

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

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

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

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

(f) If the offender or delinquent child previously has been convicted of or pleaded guilty to any, or been adjudicated a delinquent child for committing an act that if committed by an adult would be, a criminal offense, whether the offender or delinquent child completed any sentence or dispositional order imposed for the prior offense or act and, if the prior offense or act was a sex offense or a sexually oriented offense, whether the offender or delinquent child participated in available programs for sexual offenders;

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

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

(i) Whether the offender or delinquent child, during the 2562
commission of the sexually oriented offense for which sentence is 2563
to be imposed or the order of disposition is to be made, displayed 2564
cruelty or made one or more threats of cruelty; 2565

(j) Any additional behavioral characteristics that contribute 2566
to the offender's or delinquent child's conduct. 2567

~~(3)~~(4) After reviewing all testimony and evidence presented 2568
at the hearing conducted under division (B)(1) of this section and 2569
the factors specified in division (B)~~(2)~~(3) of this section, the 2570
~~judge court~~ shall determine by clear and convincing evidence 2571
whether the subject offender or delinquent child is a sexual 2572
predator. If the ~~judge court~~ determines that the subject offender 2573
or delinquent child is not a sexual predator, the ~~judge court~~ 2574
shall specify in the offender's sentence and the judgment of 2575
conviction that contains the sentence or in the delinquent child's 2576
dispositional order, as appropriate, that the ~~judge court~~ has 2577
determined that the offender or delinquent child is not a sexual 2578
predator. If the ~~judge court~~ determines by clear and convincing 2579
evidence that the subject offender or delinquent child is a sexual 2580
predator, the ~~judge court~~ shall specify in the offender's sentence 2581
and the judgment of conviction that contains the sentence or in 2582
the delinquent child's dispositional order, as appropriate, that 2583
the ~~judge court~~ has determined that the offender or delinquent 2584
child is a sexual predator and shall specify that the 2585
determination was pursuant to division (B) of this section. The 2586
offender or delinquent child and the prosecutor who prosecuted the 2587
offender or handled the case against the delinquent child for the 2588
sexually oriented offense in question may appeal as a matter of 2589
right the ~~judge's court's~~ determination under this division as to 2590
whether the offender or delinquent child is, or is not, a sexual 2591
predator. 2592

~~(4)~~(5) A hearing shall not be conducted under division (B) of 2593

this section regarding an offender if the sexually oriented 2594
offense in question is a sexually violent offense and the 2595
indictment, count in the indictment, or information charging the 2596
offense also included a sexually violent predator specification. 2597

(C)(1) If a person was convicted of or pleaded guilty to a 2598
sexually oriented offense prior to January 1, 1997, if the person 2599
was not sentenced for the offense on or after January 1, 1997, and 2600
if, on or after January 1, 1997, the offender is serving a term of 2601
imprisonment in a state correctional institution, the department 2602
of rehabilitation and correction shall determine whether to 2603
recommend that the offender be adjudicated as being a sexual 2604
predator. In making a determination under this division as to 2605
whether to recommend that the offender be adjudicated as being a 2606
sexual predator, the department shall consider all relevant 2607
factors, including, but not limited to, all of the factors 2608
specified in division (B)(2) of this section. If the department 2609
determines that it will recommend that the offender be adjudicated 2610
as being a sexual predator, it immediately shall send the 2611
recommendation to the court that sentenced the offender and shall 2612
enter its determination and recommendation in the offender's 2613
institutional record, and the court shall proceed in accordance 2614
with division (C)(2) of this section. 2615

(2)(a) If, pursuant to division (C)(1) of this section, the 2616
department of rehabilitation and correction sends to a court a 2617
recommendation that an offender who has been convicted of or 2618
pleaded guilty to a sexually oriented offense be adjudicated as 2619
being a sexual predator, the court is not bound by the 2620
department's recommendation, and the court may conduct a hearing 2621
to determine whether the offender is a sexual predator. The court 2622
may deny the recommendation and determine that the offender is not 2623
a sexual predator without a hearing but shall not make a 2624
determination that the offender is a sexual predator in any case 2625

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.

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

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(b) If the court schedules a hearing under division (C)(2)(a)
of this section, the court shall give the offender and the
prosecutor who prosecuted the offender for the sexually oriented

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offense, or that prosecutor's successor in office, notice of the
date, time, and place of the hearing. If the hearing is to
determine whether the offender is a sexual predator, it shall be
conducted in the manner described in division (B)(1) of this
section regarding hearings conducted under that division and, in
making a determination under this division as to whether the
offender is a sexual predator, the court shall consider all
relevant factors, including, but not limited to, all of the
factors specified in division (B)(2) of this section. After
reviewing all testimony and evidence presented at the sexual
predator hearing and the factors specified in division (B)(2) of
this section, the court shall determine by clear and convincing
evidence whether the offender is a sexual predator. If the court
determines that the offender is not a sexual predator, it also
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 hearing is being conducted.

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

(i) If the hearing is to determine whether the offender is a
sexual predator, and if the court determines that the offender is
not a sexual predator and that the offender previously has not
been convicted of or pleaded guilty to a sexually oriented offense
other than the offense in relation to which the hearing is being
conducted, it shall include its determinations in the offender's
institutional record.

(ii) If the hearing is to determine whether the offender is a
sexual predator, and if the court determines that the offender is
not a sexual predator but that the offender previously has been
convicted of or pleaded guilty to a sexually oriented offense
other than the offense in relation to which the hearing is being
conducted, it shall include its determination that the offender is

not a sexual predator but is a habitual sex offender in the
offender's institutional record, shall attach the determinations
to the offender's sentence, shall specify that the determinations
were pursuant to division (C) of this section, shall provide a
copy of the determinations to the offender, to the prosecuting
attorney, and to the department of rehabilitation and correction,
and may 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. The offender shall not be subject to those
community notification provisions relative to the sexually
oriented offense in question if the court does not so impose the
requirement described in this division. If the court imposes those
community notification provisions, the offender may appeal the
judge's determination that the offender is a habitual sex
offender.

(iii) If the hearing is to 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
hearing is being conducted and whether to impose a requirement
that the offender be subject to the specified community
notification provisions, and if the court determines that the
offender previously has been convicted of or pleaded guilty to
such an offense, the court shall proceed as described in division
(C)(2)(b)(ii) of this section and may impose a community
notification requirement as described in that division. The
offender shall not be subject to the specified community
notification provisions relative to the sexually oriented offense
in question if the court does not so impose the requirement
described in that division. If the court imposes those community
notification provisions, the offender may appeal the judge's
determination that the offender is a habitual sex offender.

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(iv) If the court determined without a hearing that 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, and, as such, is a habitual sex offender, and the hearing is solely to determine whether to impose a requirement that the offender be subject to the specified community notification provisions, after the hearing, the court may impose a community notification requirement as described in division (C)(2)(b)(ii) of this section. The offender shall not be subject to the specified community notification provisions relative to the sexually oriented offense in question if the court does not so impose the requirement described in that division. If the court imposes those community notification provisions, the offender may appeal the judge's determination that the offender is a habitual sex offender.

(v) If the hearing is to determine whether the offender is a sexual predator, and if the court determines by clear and convincing evidence that the offender is a sexual predator, it shall enter its determination in the offender's institutional record, shall attach the determination to the offender's sentence, shall specify that the determination was pursuant to division (C) 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 Division (D) of this section applies to persons who have been convicted of or pleaded guilty to a sexually oriented offense. The procedures set forth in division (D) of this section regarding a determination of whether a person no longer is

a sexual predator also apply, to the extent specified in section 2754
2152.84 or 2152.85 of the Revised Code, to persons who have been 2755
adjudicated a delinquent child for committing a sexually oriented 2756
offense and have been determined by a juvenile court judge to be a 2757
sexual predator. A person who has been adjudicated a delinquent 2758
child for committing a sexually oriented offense and who has been 2759
classified by a juvenile court judge a juvenile sex offender 2760
registrant or, if applicable, additionally has been determined by 2761
a juvenile court judge to be a sexual predator or habitual sex 2762
offender, may petition the adjudicating court for a 2763
reclassification or declassification pursuant to section 2152.85 2764
of the Revised Code. 2765

Upon the expiration of the applicable period of time 2766
specified in division (D)(1)(a) or (b) of this section, an 2767
offender who has been convicted of or pleaded guilty to a sexually 2768
oriented offense and who has been adjudicated as being a sexual 2769
predator relative to the sexually oriented offense in the manner 2770
described in division (B) or (C) of this section may petition the 2771
judge who made the determination that the offender was a sexual 2772
predator, or that judge's successor in office, to enter a 2773
determination that the offender no longer is a sexual predator. 2774
Upon the filing of the petition, the judge may review the prior 2775
sexual predator determination that comprises the sexually violent 2776
predator adjudication, and, upon consideration of all relevant 2777
evidence and information, including, but not limited to, the 2778
factors set forth in division (B)~~(2)~~(3) of this section, either 2779
shall enter a determination that the offender no longer is a 2780
sexual predator or shall enter an order denying the petition. The 2781
~~court judge~~ shall not enter a determination under this division 2782
that the offender no longer is a sexual predator unless the ~~court~~ 2783
~~judge~~ determines by clear and convincing evidence that the 2784
offender is unlikely to commit a sexually oriented offense in the 2785
future. If the judge enters a determination under this division 2786

that the offender no longer is a sexual predator, the judge shall 2787
notify the bureau of criminal identification and investigation and 2788
the parole board of the determination. Upon receipt of the 2789
notification, the bureau promptly shall notify the sheriff with 2790
whom the offender most recently registered under section 2950.04 2791
or 2950.05 of the Revised Code of the determination that the 2792
offender no longer is a sexual predator. If the judge enters an 2793
order denying the petition, the prior adjudication of the offender 2794
as a sexual predator shall remain in effect. An offender 2795
determined to be a sexual predator in the manner described in 2796
division (B) or (C) of this section may file a petition under this 2797
division after the expiration of the following periods of time: 2798

(a) Regardless of when the sexually oriented offense was 2799
committed, if, on or after January 1, 1997, the offender is 2800
imprisoned or sentenced to a prison term or other confinement for 2801
the sexually oriented offense in relation to which the 2802
determination was made, the offender initially may file the 2803
petition not earlier than one year prior to the offender's release 2804
from the imprisonment, prison term, or other confinement by 2805
discharge, parole, judicial release, or any other final release. 2806
If the offender is sentenced on or after January 1, 1997, for the 2807
sexually oriented offense in relation to which the determination 2808
is made and is not imprisoned or sentenced to a prison term or 2809
other confinement for the sexually oriented offense, the offender 2810
initially may file the petition upon the expiration of one year 2811
after the entry of the offender's judgment of conviction. 2812

(b) After the offender's initial filing of a petition under 2813
division (D)(1)(a) of this section, thereafter, an offender may 2814
file a petition under this division upon the expiration of five 2815
years after the court has entered an order denying the petition 2816
under division (D)(1)(a) of this section or the most recent 2817
petition the offender has filed under this division. 2818

(2) Except as otherwise provided in this division, division 2819
(D)(1) of this section does not apply to a person who is 2820
classified as a sexual predator pursuant to division (A) of this 2821
section. If a person who is so classified was sentenced to a 2822
prison term pursuant to division (A)(3) of section 2971.03 of the 2823
Revised Code and if the sentencing court terminates the offender's 2824
prison term as provided in division (D) of section 2971.05 of the 2825
Revised Code, the court's termination of the prison term 2826
automatically shall constitute a determination by the court that 2827
the offender no longer is a sexual predator. If the court so 2828
terminates the offender's prison term, the court shall notify the 2829
bureau of criminal identification and investigation and the parole 2830
board of the determination that the offender no longer is a sexual 2831
predator. Upon receipt of the notification, the bureau promptly 2832
shall notify the sheriff with whom the offender most recently 2833
registered under section 2950.04 or 2950.05 of the Revised Code 2834
that the offender no longer is a sexual predator. If an offender 2835
who is classified as a sexual predator pursuant to division (A) of 2836
this section is released from prison pursuant to a pardon or 2837
commutation, the classification of the offender as a sexual 2838
predator shall remain in effect after the offender's release, and 2839
the offender may file one or more petitions in accordance with the 2840
procedures and time limitations contained in division (D)(1) of 2841
this section for a determination that the offender no longer is a 2842
sexual predator. 2843

(E) If a person is convicted of or pleads guilty to 2844
committing, on or after January 1, 1997, a sexually oriented 2845
offense, the judge who is to impose sentence on the offender shall 2846
determine, prior to sentencing, whether the offender previously 2847
has been convicted of or pleaded guilty to a sexually oriented 2848
offense. If a person is classified a juvenile sex offender 2849
registrant, pursuant to section 2152.82 or division (A) of section 2850

2152.83 of the Revised Code, the adjudicating judge shall 2851
determine, prior to entering the order classifying the delinquent 2852
child a juvenile sex offender registrant, whether the delinquent 2853
child previously has been adjudicated a delinquent child for 2854
committing a sexually oriented offense. If the adjudicating judge 2855
has classified the delinquent child under division (A) of section 2856
2152.83 of the Revised Code based on that adjudication a juvenile 2857
sex offender registrant, the judge shall determine, prior to 2858
entering the classification order, whether the delinquent child 2859
previously has been adjudicated a delinquent child for committing 2860
a sexually oriented offense. If the judge determines that the 2861
offender previously has not been convicted of or pleaded guilty to 2862
a sexually oriented offense or that the delinquent child 2863
previously has not been adjudicated a delinquent child for 2864
committing a sexually oriented offense, the judge shall specify in 2865
the offender's sentence or in the order classifying the delinquent 2866
child a juvenile sex offender registrant that the judge has 2867
determined that the offender or delinquent child is not a habitual 2868
sex offender. If the judge determines that the offender previously 2869
has been convicted of or pleaded guilty to a sexually oriented 2870
offense or that the delinquent child previously has been 2871
adjudicated a delinquent child for committing a sexually oriented 2872
offense, the judge shall specify in the offender's sentence and 2873
the judgment of conviction that contains the sentence or in the 2874
order classifying the delinquent child a juvenile sex offender 2875
registrant that the judge has determined that the offender or 2876
delinquent child is a habitual sex offender and may impose a 2877
requirement in that sentence and judgment of conviction or in that 2878
order that the offender or delinquent child be subject to the 2879
community notification provisions regarding the offender's or 2880
delinquent child's place of residence that are contained in 2881
sections 2950.10 and 2950.11 of the Revised Code. Unless the 2882
habitual sex offender also has been adjudicated as being a sexual 2883

predator relative to the sexually oriented offense in question, 2884
the offender or delinquent child shall ~~not~~ be subject to those 2885
community notification provisions only if the court ~~does not~~ 2886
~~impose~~ imposes the requirement described in this division in the 2887
offender's sentence and the judgment of conviction or in the order 2888
classifying the delinquent child a juvenile sex offender 2889
registrant. 2890

(F)(1) An offender or delinquent child classified as a sexual 2891
predator may petition the court of common pleas or, for a 2892
delinquent child, the juvenile court of the county in which the 2893
offender or delinquent child resides or temporarily is domiciled 2894
to enter a determination that the offender or delinquent child is 2895
not an adjudicated sexual predator in this state for purposes of 2896
the sex offender registration requirements of this chapter or the 2897
community notification provisions contained in sections 2950.10 2898
and 2950.11 of the Revised Code if all of the following apply: 2899

(a) The offender or delinquent child was convicted of ~~or,~~ 2900
pleaded guilty to, or was adjudicated a delinquent child for 2901
committing, a sexually oriented offense in another state or in a 2902
federal court, a military court, or an Indian tribal court. 2903

(b) As a result of the conviction ~~or,~~ plea of guilty, or 2904
adjudication described in division (F)(1)(a) of this section, the 2905
offender or delinquent child is required under the law of the 2906
jurisdiction under which the offender or delinquent child was 2907
convicted ~~or,~~ pleaded guilty, or was adjudicated to register as a 2908
sex offender until the offender's or delinquent child's death and 2909
is required to verify the offender's or delinquent child's address 2910
on at least a quarterly basis each year. 2911

(c) The offender or delinquent child was automatically 2912
classified as a sexual predator under division (A) of this section 2913
in relation to the conviction ~~or,~~ guilty plea, or adjudication 2914
described in division (F)(1)(a) of this section. 2915

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

Sec. 2950.10. (A)(1) If a person is convicted of or pleads guilty to, or has been convicted of or pleaded guilty to, a sexually oriented offense or a person is adjudicated a delinquent child for committing a sexually oriented offense and is classified a juvenile sex offender registrant or is an out-of-state juvenile sex offender registrant based on that adjudication, if the offender or delinquent child has been adjudicated as being a sexual predator relative to the sexually oriented offense, and the court has not subsequently determined pursuant to division (D) of section 2950.09, section 2152.84, or section 2152.85 of the Revised Code that the offender or delinquent child no longer is a sexual predator or the offender or delinquent child has been determined pursuant to division (C)(2) or (E) of section 2950.09, division (B) of section 2152.83, section 2152.84, or section 2152.85 of the Revised Code to be a habitual sex offender and, the court has imposed a requirement under that division or section subjecting the habitual sex offender to this section, and the determination has not been removed pursuant to section 2152.84 or

2152.85 of the Revised Code, if the offender or delinquent child registers with a sheriff pursuant to section 2950.04 or 2950.05 of the Revised Code, and if the victim of the sexually oriented offense has made a request in accordance with rules adopted by the attorney general that specifies that the victim would like to be provided the notices described in this section, the sheriff shall notify the victim of the sexually oriented offense, in writing, that the offender or delinquent child has registered and shall include in the notice the offender's or delinquent child's name and residence address or addresses. The sheriff shall provide the notice required by this division to the victim at the most recent residence address available for that victim, not later than seventy-two hours after the offender or delinquent child registers with the sheriff.

(2) If a person is convicted of or pleads guilty to, or has been convicted of or pleaded guilty to, a sexually oriented offense or a person is adjudicated a delinquent child for committing a sexually oriented offense and is classified a juvenile sex offender registrant or is an out-of-state juvenile sex offender registrant based on that adjudication, if the offender or delinquent child has been adjudicated as being a sexual predator relative to the sexually oriented offense or sexually violent offense and the court has not subsequently determined pursuant to division (D) of section 2950.09, section 2152.84, or section 2152.85 of the Revised Code that the offender or delinquent child no longer is a sexual predator or the offender or delinquent child has been determined pursuant to division (E) of section 2950.09, division (B) of section 2152.83, section 2152.84, or section 2152.85 of the Revised Code to be a habitual sex offender and, the court has imposed a requirement under that division or section subjecting the habitual sex offender to this section, and the determination has not been removed pursuant to

section 2152.84 or 2152.85 of the Revised Code, if the offender or delinquent child registers with a sheriff pursuant to section 2950.04 or 2950.05 of the Revised Code, if the victim of the sexually oriented offense has made a request in accordance with rules adopted by the attorney general that specifies that the victim would like to be provided the notices described in this section, and if the offender or delinquent child notifies the sheriff of a change of residence address pursuant to section 2950.05 of the Revised Code, the sheriff shall notify the victim of the sexually oriented offense, in writing, that the offender's or delinquent child's residence address has changed and shall include in the notice the offender's or delinquent child's name and new residence address or addresses. The sheriff shall provide the notice required by this division to the victim at the most recent residence address available for that victim, no later than seventy-two hours after the offender or delinquent child notifies the sheriff of the change in the offender's or delinquent child's residence address.

(3) If ~~an offender~~ a person is convicted of or pleads guilty to, or has been convicted of or pleaded guilty to, a sexually oriented offense or a person is adjudicated a delinquent child for committing a sexually oriented offense and is classified a juvenile sex offender registrant or is an out-of-state juvenile sex offender registrant based on that adjudication, and if the offender or delinquent child is adjudicated as being a sexual predator relative to the sexually oriented offense or the offender or delinquent child is determined pursuant to division (E) of section 2950.09, division (B) of section 2152.83, section 2152.84, or section 2152.85 of the Revised Code to be a habitual sex offender and is made subject to this section, the victim of the offense may make a request in accordance with rules adopted by the attorney general pursuant to section 2950.13 of the Revised Code that specifies that the victim would like to be provided the

notices described in divisions (A)(1) and (2) of this section. If 3013
the victim makes a request in accordance with those rules, the 3014
sheriff described in divisions (A)(1) and (2) of this section 3015
shall provide the victim with the notices described in those 3016
divisions. 3017

(4) If a victim makes a request as described in division 3018
(A)(3) of this section that specifies that the victim would like 3019
to be provided the notices described in divisions (A)(1) and (2) 3020
of this section, all information a sheriff obtains regarding the 3021
victim from or as a result of the request is confidential, and the 3022
information is not a public record open for inspection under 3023
section 149.43 of the Revised Code. 3024

(5) The notices described in divisions (A)(1) and (2) of this 3025
section are in addition to any notices regarding the offender or 3026
delinquent child that the victim is entitled to receive under 3027
Chapter 2930. of the Revised Code. 3028

(B) A victim of a sexually oriented offense is not entitled 3029
to be provided any notice described in division (A)(1) or (2) of 3030
this section unless the offender or delinquent child is 3031
adjudicated as being a sexual predator relative to the sexually 3032
oriented offense and the court has not subsequently determined 3033
pursuant to division ~~(E)~~(D) of section 2950.09, section 2152.84, 3034
or section 2152.85 of the Revised Code that the offender or 3035
delinquent child no longer is a sexual predator or the offender or 3036
delinquent child has been determined pursuant to division (E) of 3037
section 2950.09, division (B) of section 2152.83, section 2152.84, 3038
or section 2152.85 of the Revised Code to be a habitual sex 3039
offender ~~and~~, the court has imposed a requirement under that 3040
division or section subjecting the habitual sex offender to this 3041
section, and the determination has not been removed pursuant to 3042
section 2152.84 or 2152.85 of the Revised Code. A victim of a 3043
sexually oriented offense is not entitled to any notice described 3044

in division (A)(1) or (2) of this section unless the victim makes 3045
a request in accordance with rules adopted by the attorney general 3046
pursuant to section 2950.13 of the Revised Code that specifies 3047
that the victim would like to be provided the notices described in 3048
divisions (A)(1) and (2) of this section. This division does not 3049
affect any rights of a victim of a sexually oriented offense to be 3050
provided notice regarding an offender or delinquent child that are 3051
described in Chapter ~~2950.~~ 2930. of the Revised Code. 3052

Sec. 2950.11. (A) As used in this section, "specified 3053
geographical notification area" means the geographic area or areas 3054
within which the attorney general, by rule adopted under section 3055
2950.13 of the Revised Code, requires the notice described in 3056
division (B) of this section to be given to the persons identified 3057
in divisions (A)(2) to (8) of this section. If a person is 3058
convicted of or pleads guilty to, or has been convicted of or 3059
pleaded guilty to, a sexually oriented offense or a person is 3060
adjudicated a delinquent child for committing a sexually oriented 3061
offense and is classified a juvenile sex offender registrant or is 3062
an out-of-state juvenile sex offender registrant based on that 3063
adjudication, and if the offender or delinquent child has been 3064
adjudicated as being a sexual predator relative to the sexually 3065
oriented offense and the court has not subsequently determined 3066
pursuant to division (D) of section 2950.09, section 2152.84, or 3067
section 2152.85 of the Revised Code that the offender or 3068
delinquent child no longer is a sexual predator or the offender or 3069
delinquent child has been determined pursuant to division (C)(2) 3070
or (E) of section 2950.09, division (B) of section 2152.83, 3071
section 2152.84, or section 2152.85 of the Revised Code to be a 3072
habitual sex offender ~~and~~, the court has imposed a requirement 3073
under that division or section subjecting the habitual sex 3074
offender to this section, and the determination has not been 3075
removed pursuant to section 2152.84 or 2152.85 of the Revised 3076

Code, the sheriff with whom the offender or delinquent child has 3077
most recently registered under section 2950.04 or 2950.05 of the 3078
Revised Code, within the period of time specified in division (C) 3079
of this section, shall provide a written notice containing the 3080
information set forth in division (B) of this section to all of 3081
the following persons: 3082

(1) All occupants of residences adjacent to the offender's or 3083
delinquent child's place of residence that are located within the 3084
county served by the sheriff and all additional neighbors of the 3085
offender or delinquent child who are within any category that the 3086
attorney general by rule adopted under section 2950.13 of the 3087
Revised Code requires to be provided the notice and who reside 3088
within the county served by the sheriff; 3089

(2) The executive director of the public children services 3090
agency that has jurisdiction within the specified geographical 3091
notification area and that is located within the county served by 3092
the sheriff; 3093

(3)(a) The superintendent of each board of education of a 3094
school district that has schools within the specified geographical 3095
notification area and that is located within the county served by 3096
the sheriff; 3097

(b) The principal of the school within the specified 3098
geographical notification area and within the county served by the 3099
sheriff that the delinquent child attends; 3100

(c) If the delinquent child attends a school outside of the 3101
specified geographical notification area or outside of the school 3102
district where the delinquent child resides, the superintendent of 3103
the board of education of a school district that governs the 3104
school that the delinquent child attends and the principal of the 3105
school that the delinquent child attends. 3106

(4)(a) The appointing or hiring officer of each chartered 3107

nonpublic school located within the specified geographical 3108
notification area and within the county served by the sheriff or 3109
of each other school located within the specified geographical 3110
notification area and within the county served by the sheriff and 3111
that is not operated by a board of education described in division 3112
(A)(3) of this section; 3113

(b) Regardless of the location of the school, the appointing 3114
or hiring officer of a chartered nonpublic school that the 3115
delinquent child attends. 3116

(5) The director, head teacher, elementary principal, or site 3117
administrator of each preschool program governed by Chapter 3301. 3118
of the Revised Code that is located within the specified 3119
geographical notification area and within the county served by the 3120
sheriff; 3121

(6) The administrator of each child day-care center or type A 3122
family day-care home that is located within the specified 3123
geographical notification area and within the county served by the 3124
sheriff, and the provider of each certified type B family day-care 3125
home that is located within the specified geographical 3126
notification area and within the county served by the sheriff. As 3127
used in this division, "child day-care center," "type A family 3128
day-care home," and "certified type B family day-care home" have 3129
the same meanings as in section 5104.01 of the Revised Code. 3130

(7) The president or other chief administrative officer of 3131
each institution of higher education, as defined in section 3132
2907.03 of the Revised Code, that is located within the specified 3133
geographical notification area and within the county served by the 3134
sheriff, and the chief law enforcement officer of the state 3135
university law enforcement agency or campus police department 3136
established under section 3345.04 or 1713.50 of the Revised Code, 3137
if any, that serves that institution; 3138

(8) The sheriff of each county that includes any portion of 3139

the specified geographical notification area; 3140

(9) If the offender or delinquent child resides within the 3141
county served by the sheriff, the chief of police, marshal, or 3142
other chief law enforcement officer of the municipal corporation 3143
in which the offender or delinquent child resides or, if the 3144
offender or delinquent child resides in an unincorporated area, 3145
the constable or chief of the police department or police district 3146
police force of the township in which the offender or delinquent 3147
child resides. 3148

(B) The notice required under division (A) of this section 3149
shall include all of the following information regarding the 3150
subject offender or delinquent child: 3151

(1) The offender's or delinquent child's name; 3152

(2) The address or addresses at which the offender or 3153
delinquent child resides; 3154

(3) The sexually oriented offense of which the offender was 3155
convicted ~~or~~, to which the offender pleaded guilty, or for which 3156
the child was adjudicated a delinquent child; 3157

(4) A statement that the offender or delinquent child has 3158
been adjudicated as being a sexual predator and that, as of the 3159
date of the notice, the court has not entered a determination that 3160
the offender or delinquent child no longer is a sexual predator, 3161
or a statement that the sentencing or reviewing judge has 3162
determined that the offender or delinquent child is a habitual sex 3163
offender and that, as of the date of the notice, the determination 3164
has not been removed pursuant to section 2152.84 or 2152.85 of the 3165
Revised Code. 3166

(C) If a sheriff with whom an offender or delinquent child 3167
registers under section 2950.04 or 2950.05 of the Revised Code is 3168
required by division (A) of this section to provide notices 3169
regarding an offender or delinquent child and if, pursuant to that 3170

requirement, the sheriff provides a notice to a sheriff of one or 3171
more other counties in accordance with division (A)(8) of this 3172
section, the sheriff of each of the other counties who is provided 3173
notice under division (A)(8) of this section shall provide the 3174
notices described in divisions (A)(1) to (7) and (A)(9) of this 3175
section to each person or entity identified within those divisions 3176
that is located within the geographical notification area and 3177
within the county served by the sheriff in question. 3178

(D)(1) A sheriff required by division (A) or (C) of this 3179
section to provide notices regarding an offender or delinquent 3180
child shall provide the notice to the neighbors that is described 3181
in division (A)(1) of this section and the notices to law 3182
enforcement personnel that are described in divisions (A)(8) and 3183
(9) of this section no later than seventy-two hours after the 3184
offender or delinquent child registers with the sheriff or, if the 3185
sheriff is required by division (C) to provide the notices, no 3186
later than seventy-two hours after the sheriff is provided the 3187
notice described in division (A)(8) of this section. 3188

A sheriff required by division (A) or (C) of this section to 3189
provide notices regarding an offender or delinquent child shall 3190
provide the notices to all other specified persons that are 3191
described in divisions (A)(2) to (7) of this section not later 3192
than seven days after the offender or delinquent child registers 3193
with the sheriff, if the sheriff is required by division (C) to 3194
provide the notices, no later than seventy-two hours after the 3195
sheriff is provided the notice described in division (A)(8) of 3196
this section. 3197

(2) If an offender or delinquent child in relation to whom 3198
division (A) of this section applies verifies the offender's or 3199
delinquent child's current residence address with a sheriff 3200
pursuant to section 2950.06 of the Revised Code, the sheriff may 3201
provide a written notice containing the information set forth in 3202

division (B) of this section to the persons identified in 3203
divisions (A)(1) to (9) of this section. If a sheriff provides a 3204
notice pursuant to this division to the sheriff of one or more 3205
other counties in accordance with division (A)(8) of this section, 3206
the sheriff of each of the other counties who is provided the 3207
notice under division (A)(8) of this section may provide, but is 3208
not required to provide, a written notice containing the 3209
information set forth in division (B) of this section to the 3210
persons identified in divisions (A)(1) to (7) and (A)(9) of this 3211
section. 3212

(E) All information that a sheriff possesses regarding a 3213
sexual predator or a habitual sex offender that is described in 3214
division (B) of this section and that must be provided in a notice 3215
required under division (A) or (C) of this section or that may be 3216
provided in a notice authorized under division (D)(2) of this 3217
section is a public record that is open to inspection under 3218
section 149.43 of the Revised Code. 3219

If the sexual predator or habitual sex offender is a juvenile 3220
sex offender registrant, the sheriff shall not cause any of the 3221
information described in this division to be publicly disseminated 3222
by means of the internet, except when the act that is the basis of 3223
a child's classification as a juvenile sex offender registrant is 3224
a violation of, or an attempt to commit a violation of, section 3225
2903.01, 2903.02, or 2905.01 of the Revised Code that was 3226
committed with a purpose to gratify the sexual needs or desires of 3227
the child, a violation of section 2907.02 of the Revised Code, or 3228
an attempt to commit a violation of that section. 3229

(F) The notification provisions of this section do not apply 3230
regarding a person who is convicted of or pleads guilty to, ~~or~~ has 3231
been convicted of or pleaded guilty to, or is adjudicated a 3232
delinquent child for committing, a sexually oriented offense, who 3233
has not been adjudicated as being a sexual predator relative to 3234

that sexually oriented offense, and who is determined pursuant to 3235
division (C)(2) or (E) of section 2950.09, division (B) of section 3236
2152.83, section 2152.84, or section 2152.85 of the Revised Code 3237
to be a habitual sex offender unless the sentencing or reviewing 3238
court imposes a requirement in the offender's sentence and in the 3239
judgment of conviction that contains the sentence or in the 3240
delinquent child's adjudication, or imposes a requirement as 3241
described in division (C)(2) of section 2950.09 of the Revised 3242
Code, that subjects the offender or the delinquent child to the 3243
provisions of this section. 3244

(G) The department of job and family services shall compile, 3245
maintain, and update in January and July of each year, a list of 3246
all agencies, centers, or homes of a type described in division 3247
(A)(2) or (6) of this section that contains the name of each 3248
agency, center, or home of that type, the county in which it is 3249
located, its address and telephone number, and the name of an 3250
administrative officer or employee of the agency, center, or home. 3251
The department of education shall compile, maintain, and update in 3252
January and July of each year, a list of all boards of education, 3253
schools, or programs of a type described in division (A)(3), (4), 3254
or (5) of this section that contains the name of each board of 3255
education, school, or program of that type, the county in which it 3256
is located, its address and telephone number, the name of the 3257
superintendent of the board or of an administrative officer or 3258
employee of the school or program, and, in relation to a board of 3259
education, the county or counties in which each of its schools is 3260
located and the address of each such school. The Ohio board of 3261
regents shall compile, maintain, and update in January and July of 3262
each year, a list of all institutions of a type described in 3263
division (A)(7) of this section that contains the name of each 3264
such institution, the county in which it is located, its address 3265
and telephone number, and the name of its president or other chief 3266
administrative officer. A sheriff required by division (A) or (C) 3267

of this section, or authorized by division (D)(2) of this section, 3268
to provide notices regarding an offender or delinquent child, or a 3269
designee of a sheriff of that type, may request the department of 3270
job and family services, department of education, or Ohio board of 3271
regents, by telephone, in person, or by mail, to provide the 3272
sheriff or designee with the names, addresses, and telephone 3273
numbers of the appropriate persons and entities to whom the 3274
notices described in divisions (A)(2) to (7) of this section are 3275
to be provided. Upon receipt of a request, the department or board 3276
shall provide the requesting sheriff or designee with the names, 3277
addresses, and telephone numbers of the appropriate persons and 3278
entities to whom those notices are to be provided. 3279

Sec. 2950.12. (A) Except as provided in division (B) of this 3280
section, any of the following persons shall be immune from 3281
liability in a civil action to recover damages for injury, death, 3282
or loss to person or property allegedly caused by an act or 3283
omission in connection with a power, duty, responsibility, or 3284
authorization under this chapter or under rules adopted under 3285
authority of this chapter: 3286

(1) An officer or employee of the bureau of criminal 3287
identification and investigation; 3288

(2) The attorney general, a chief of police, marshal, or 3289
other chief law enforcement officer of a municipal corporation, a 3290
sheriff, a constable or chief of police of a township police 3291
department or police district police force, and a deputy, officer, 3292
or employee of the office of the attorney general, the law 3293
enforcement agency served by the marshal or the municipal or 3294
township chief, the office of the sheriff, or the constable; 3295

(3) A prosecutor and an officer or employee of the office of 3296
a prosecutor; 3297

(4) A supervising officer and an officer or employee of the 3298

adult parole authority of the department of rehabilitation and correction;	3299 3300
(5) <u>A supervising officer and an officer or employee of the department of youth services;</u>	3301 3302
(6) <u>A supervisor and a caseworker or employee of a public children services agency acting pursuant to section 5153.16 of the Revised Code;</u>	3303 3304 3305
(7) A person identified in division (A)(2), (3), (4), (5), (6), or (7) of section 2950.11 of the Revised Code or the agent of that person.	3306 3307 3308
(B) The immunity described in division (A) of this section does not apply to a person described in divisions (A)(1) to (5) (7) of this section if, in relation to the act or omission in question, any of the following applies:	3309 3310 3311 3312
(1) The act or omission was manifestly outside the scope of the person's employment or official responsibilities.	3313 3314
(2) The act or omission was with malicious purpose, in bad faith, or in a wanton or reckless manner.	3315 3316
(3) Liability for the act or omission is expressly imposed by a section of the Revised Code.	3317 3318
Sec. 2950.13. (A) The attorney general shall do all of the following:	3319 3320
(1) No later than July 1, 1997, establish and maintain a state registry of sex offenders that is housed at the bureau of criminal identification and investigation and that contains all of the registration, change of residence address, and verification information the bureau receives pursuant to sections 2950.04, 2950.05, and 2950.06 of the Revised Code regarding a person who is convicted of or pleads guilty to, or has been convicted of or	3321 3322 3323 3324 3325 3326 3327

pleaded guilty to, a sexually oriented offense or a person who is 3328
adjudicated a delinquent child for committing a sexually oriented 3329
offense and is classified a juvenile sex offender registrant or is 3330
an out-of-state juvenile sex offender registrant based on that 3331
adjudication, and all of the information the bureau receives 3332
pursuant to section 2950.14 of the Revised Code; 3333

(2) In consultation with local law enforcement 3334
representatives and no later than July 1, 1997, adopt rules that 3335
contain guidelines necessary for the implementation of this 3336
chapter; 3337

(3) In consultation with local law enforcement 3338
representatives and no later than July 1, 1997, adopt rules for 3339
the implementation and administration of the provisions contained 3340
in section 2950.11 of the Revised Code that pertain to the 3341
notification of neighbors of ~~a person~~ an offender or a delinquent 3342
child who has committed a sexually oriented offense and has been 3343
adjudicated as being a ~~sexually violent~~ sexual predator or 3344
determined to be a habitual sex offender, and rules that prescribe 3345
a manner in which victims of a sexually oriented offense committed 3346
by ~~a person~~ an offender or a delinquent child who has been 3347
adjudicated as being a sexual predator or determined to be a 3348
habitual sex offender may make a request that specifies that the 3349
victim would like to be provided the notices described in 3350
divisions (A)(1) and (2) of section 2950.10 of the Revised Code; 3351

(4) In consultation with local law enforcement 3352
representatives and through the bureau of criminal identification 3353
and investigation, prescribe the forms to be used by judges and 3354
officials pursuant to section 2950.03 of the Revised Code to 3355
advise offenders and delinquent children of their duties of 3356
registration, notification of a change of residence address and 3357
registration of the new residence address, and residence address 3358
verification under sections 2950.04, 2950.05, and 2950.06 of the 3359

Revised Code, and prescribe the forms to be used by sheriffs 3360
relative to those duties of registration, change of residence 3361
address notification, and residence address verification; 3362

(5) Make copies of the forms prescribed under division 3363
~~(D)~~(A)(4) of this section available to judges, officials, and 3364
sheriffs; 3365

(6) Through the bureau of criminal identification and 3366
investigation, provide the notifications, the information, and the 3367
documents that the bureau is required to provide to appropriate 3368
law enforcement officials and to the federal bureau of 3369
investigation pursuant to sections 2950.04, 2950.05, and 2950.06 3370
of the Revised Code; 3371

(7) Through the bureau of criminal identification and 3372
investigation, maintain the verification forms returned under the 3373
residence address verification mechanism set forth in section 3374
2950.06 of the Revised Code; 3375

(8) In consultation with representatives of the officials, 3376
judges, and sheriffs, adopt procedures for officials, judges, and 3377
sheriffs to use to forward information, photographs, and 3378
fingerprints to the bureau of criminal identification and 3379
investigation pursuant to the requirements of sections 2950.03, 3380
2950.04, 2950.05, and 2950.06 of the Revised Code; 3381

(9) In consultation with the director of education, the 3382
director of job and family services, and the director of 3383
rehabilitation and correction and no later than July 1, 1997, 3384
adopt rules that contain guidelines to be followed by boards of 3385
education of a school district, chartered nonpublic schools or 3386
other schools not operated by a board of education, preschool 3387
programs, child day-care centers, type A family day-care homes, 3388
certified type B family day-care homes, and institutions of higher 3389
education regarding the proper use and administration of 3390
information received pursuant to section 2950.11 of the Revised 3391

Code relative to ~~a person~~ an offender or delinquent child who has 3392
been adjudicated as being a sexual predator or determined to be a 3393
habitual sex offender; 3394

(10) In consultation with local law enforcement 3395
representatives and no later than July 1, 1997, adopt rules that 3396
designate a geographic area or areas within which the notice 3397
described in division (B) of section 2950.11 of the Revised Code 3398
must be given to the persons identified in divisions (A)(2) to (8) 3399
of that section. 3400

(B) The attorney general, in consultation with local law 3401
enforcement representatives, may adopt rules that establish one or 3402
more categories of neighbors of an offender or delinquent child 3403
who, in addition to the occupants of residences adjacent to an 3404
offender's or delinquent child's place of residence, must be given 3405
the notice described in division (B) of section 2950.11 of the 3406
Revised Code. 3407

(C) As used in this section, "local law enforcement 3408
representatives" means representatives of the sheriffs of this 3409
state, representatives of the municipal chiefs of police and 3410
marshals of this state, and representatives of the township 3411
constables and chiefs of police of the township police departments 3412
or police district police forces of this state. 3413

Sec. 2950.14. (A) Prior to releasing an offender who is under 3414
the custody and control of the department of rehabilitation and 3415
correction and who has been convicted of or pleaded guilty to 3416
committing, either prior to, on, or after January 1, 1997, any 3417
sexually oriented offense, the department of rehabilitation and 3418
correction shall provide all of the ~~following~~ information 3419
described in division (B) of this section to the bureau of 3420
criminal identification and investigation regarding the offender. 3421
Prior to releasing a delinquent child who is in the custody of the 3422

department of youth services and who has been adjudicated a 3423
delinquent child for committing on or after the effective date of 3424
this amendment a sexually oriented offense, the department of 3425
youth services shall provide all of the information described in 3426
division (B) of this section to the bureau of criminal 3427
identification and investigation regarding the delinquent child. 3428

(B) The department of rehabilitation and correction and the 3429
department of youth services shall provide all of the following 3430
information to the bureau of criminal identification and 3431
investigation regarding an offender or delinquent child described 3432
in division (A) of this section: 3433

(1) The offender's or delinquent child's name and any aliases 3434
used by the offender or delinquent child; 3435

(2) All identifying factors concerning the offender or 3436
delinquent child; 3437

(3) The offender's or delinquent child's anticipated future 3438
residence; 3439

(4) The offense and delinquency history of the offender or 3440
delinquent child; 3441

(5) Whether the offender or delinquent child was treated for 3442
a mental abnormality or personality disorder while under the 3443
custody and control of the department; 3444

(6) Any other information that the bureau indicates is 3445
relevant and that the department possesses. 3446

~~(B)~~(C) Upon receipt of the information described in division 3447
~~(A)~~(B) of this section regarding an offender or delinquent child, 3448
the bureau immediately shall enter the information into the state 3449
registry of ~~sexual~~ sex offenders that the bureau maintains 3450
pursuant to section 2950.13 of the Revised Code and into the 3451
records that the bureau maintains pursuant to division (A) of 3452

section 109.57 of the Revised Code. 3453

Sec. 2950.99. (A) Whoever violates a prohibition in section 3454
2950.04, 2950.05, or 2950.06 of the Revised Code is guilty of a 3455
felony of the fifth degree if the most serious sexually oriented 3456
offense that was the basis of the registration, change of address 3457
notification, or address verification requirement that was 3458
violated under the prohibition is a felony if committed by an 3459
adult, and a misdemeanor of the first degree if the most serious 3460
sexually oriented offense that was the basis of the registration, 3461
change of address notification, or address verification 3462
requirement that was violated under the prohibition is a 3463
misdemeanor if committed by an adult. In addition to any penalty 3464
or sanction imposed for the violation, if the offender or 3465
delinquent child is on probation or parole, is subject to one or 3466
more post-release control sanctions, or is subject to any other 3467
type of supervised release at the time of the violation, the 3468
violation shall constitute a violation of the terms and conditions 3469
of the probation, parole, post-release control sanction, or other 3470
type of supervised release. 3471

(B) If a person violates a prohibition in section 2950.04, 3472
2950.05, or 2950.06 of the Revised Code that applies to the person 3473
as a result of the person being adjudicated a delinquent child and 3474
being classified a juvenile sex offender registrant or is an 3475
out-of-state juvenile sex offender registrant, both of the 3476
following apply: 3477

(1) If the violation occurs while the person is under 3478
eighteen years of age, the person is subject to proceedings under 3479
Chapter 2152. of the Revised Code based on the violation. 3480

(2) If the violation occurs while the person is eighteen 3481
years of age or older, the person is subject to criminal 3482
prosecution based on the violation. 3483

Sec. 5139.13. (A) The department of youth services shall do 3484
all of the following: 3485

~~(A)~~(1) Control and manage all institutions for the 3486
rehabilitation of delinquent children and youthful offenders that 3487
are operated by the state, except where the control and management 3488
of an institution is vested by law in another agency; 3489

~~(B)~~(2) Provide treatment and training for children committed 3490
to the department and assigned by the department to various 3491
institutions under its control and management, including, but not 3492
limited to, for a child committed to it for an act that is a 3493
sexually oriented offense, treatment that is appropriate for a 3494
child who commits an act that is a sexually oriented offense and 3495
that is intended to ensure that the child does not commit any 3496
subsequent act that is a sexually oriented offense; 3497

~~(C)~~(3) Establish and maintain appropriate reception centers 3498
for the reception of children committed to the department and 3499
employ competent persons to have charge of those centers and to 3500
conduct investigations; 3501

~~(D)~~(4) Establish and maintain any other facilities necessary 3502
for the training, treatment, and rehabilitation of children 3503
committed to the department. 3504

(B) As used in this section, "sexually oriented offense" has 3505
the same meaning as in section 2950.01 of the Revised Code. 3506

Section 2. That existing sections 2151.23, 2152.02, 2152.19, 3507
2152.22, 2919.24, 2950.01, 2950.02, 2950.03, 2950.04, 2950.05, 3508
2950.06, 2950.07, 2950.09, 2950.10, 2950.11, 2950.12, 2950.13, 3509
2950.14, 2950.99, and 5139.13 of the Revised Code are hereby 3510
repealed. 3511

Section 3. Sections 1 and 2 of this act shall take effect on 3512

January 1, 2002, or the earliest date permitted by law, whichever 3513
is later. 3514

Section 4. Section 2151.23 of the Revised Code is presented 3515
in this act as a composite of the section as amended by Am. Sub. 3516
S.B. 179, Am. Sub. S.B. 180, and Sub. S.B. 218 of the 123rd 3517
General Assembly. The General Assembly, applying the principle 3518
stated in division (B) of section 1.52 of the Revised Code that 3519
amendments are to be harmonized if reasonably capable of 3520
simultaneous operation, finds that the composite is the resulting 3521
version of the section in effect prior to the effective date of 3522
the section as presented in this act. 3523

Section 2152.02 of the Revised Code, as presented in this 3524
act, includes matter that was amended into former section 2151.02 3525
of the Revised Code by S.B. 218 of the 123rd General Assembly. 3526
Paragraphs of former section 2151.02 of the Revised Code were 3527
transferred to section 2152.02 of the Revised Code by S.B. 179 of 3528
the 123rd General Assembly as part of its general revision of the 3529
juvenile sentencing laws. The General Assembly, applying the 3530
principle stated in division (B) of section 1.52 of the Revised 3531
Code that amendments are to be harmonized if reasonably capable of 3532
simultaneous operation, finds that the version of section 2152.02 3533
of the Revised Code presented in this act is the resulting version 3534
of the section in effect prior to the date of the section as 3535
presented in this act. 3536

Section 5. Section 2152.19 of the Revised Code, as presented 3537
in this act, includes matter that was amended into former section 3538
2151.355 of the Revised Code by Am. Sub. S.B. 181 of the 123rd 3539
General Assembly. Paragraphs of former section 2151.355 of the 3540
Revised Code containing S.B. 181 amendments were transferred to 3541
section 2152.19 of the Revised Code by Am. Sub. S.B. 179 of the 3542

123rd General Assembly as part of its general revision of the 3543
juvenile sentencing laws. The General Assembly, applying the 3544
principle stated in division (B) of section 1.52 of the Revised 3545
Code that amendments are to be harmonized if reasonably capable of 3546
simultaneous operation, finds that the version of section 2152.19 3547
of the Revised Code presented in this act is the resulting version 3548
of the section in effect prior to the effective date of the 3549
section as presented in this act. 3550