

**As Passed by the Senate**

**124th General Assembly**

**Regular Session**

**2001-2002**

**Am. Sub. S. B. No. 3**

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

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**A B I L L**

To amend sections 109.42, 2151.23, 2152.02, 2152.18, 1  
2152.19, 2152.22, 2919.24, 2950.01, 2950.02, 2  
2950.03, 2950.04, 2950.05, 2950.06, 2950.07, 3  
2950.09, 2950.10, 2950.11, 2950.12, 2950.13, 4  
2950.14, 2950.99, and 5139.13 and to enact sections 5  
2152.191, 2152.82, 2152.83, 2152.84, and 2950.081 6  
of the Revised Code to apply the Sex Offender 7  
Registration and Notification Law to persons 8  
adjudicated delinquent children for committing a 9  
sexually oriented offense while 14 years of age or 10  
older and 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 109.42, 2151.23, 2152.02, 2152.18, 14  
2152.19, 2152.22, 2919.24, 2950.01, 2950.02, 2950.03, 2950.04, 15  
2950.05, 2950.06, 2950.07, 2950.09, 2950.10, 2950.11, 2950.12, 16  
2950.13, 2950.14, 2950.99, and 5139.13 be amended and sections 17  
2152.191, 2152.82, 2152.83, 2152.84, and 2950.081 of the Revised 18  
Code be enacted to read as follows: 19

**Sec. 109.42.** (A) The attorney general shall prepare and have 20  
printed a pamphlet that contains a compilation of all statutes 21  
relative to victim's rights in which the attorney general lists 22  
and explains the statutes in the form of a victim's bill of 23  
rights. The attorney general shall distribute the pamphlet to all 24  
sheriffs, marshals, municipal corporation and township police 25  
departments, constables, and other law enforcement agencies, to 26  
all prosecuting attorneys, city directors of law, village 27  
solicitors, and other similar chief legal officers of municipal 28  
corporations, and to organizations that represent or provide 29  
services for victims of crime. The victim's bill of rights set 30  
forth in the pamphlet shall contain a description of all of the 31  
rights of victims that are provided for in Chapter 2930. or in any 32  
other section of the Revised Code and shall include, but not be 33  
limited to, all of the following: 34

(1) The right of a victim or a victim's representative to 35  
attend a proceeding before a grand jury, in a juvenile case, or in 36  
a criminal case pursuant to a subpoena without being discharged 37  
from the victim's or representative's employment, having the 38  
victim's or representative's employment terminated, having the 39  
victim's or representative's pay decreased or withheld, or 40  
otherwise being punished, penalized, or threatened as a result of 41  
time lost from regular employment because of the victim's or 42  
representative's attendance at the proceeding pursuant to the 43  
subpoena, as set forth in section 2151.211, 2930.18, 2939.121, or 44  
2945.451 of the Revised Code; 45

(2) The potential availability pursuant to section 2151.359 46  
or 2152.61 of the Revised Code of a forfeited recognizance to pay 47  
damages caused by a child when the delinquency of the child or 48  
child's violation of probation or community control is found to be 49  
proximately caused by the failure of the child's parent or 50  
guardian to subject the child to reasonable parental authority or 51

to faithfully discharge the conditions of probation or community control; 52  
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(3) The availability of awards of reparations pursuant to sections 2743.51 to 2743.72 of the Revised Code for injuries caused by criminal offenses; 54  
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(4) The right of the victim in certain criminal or juvenile cases or a victim's representative to receive, pursuant to section 2930.06 of the Revised Code, notice of the date, time, and place of the trial or delinquency proceeding in the case or, if there will not be a trial or delinquency proceeding, information from the prosecutor, as defined in section 2930.01 of the Revised Code, regarding the disposition of the case; 57  
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(5) The right of the victim in certain criminal or juvenile cases or a victim's representative to receive, pursuant to section 2930.04, 2930.05, or 2930.06 of the Revised Code, notice of the name of the person charged with the violation, the case or docket number assigned to the charge, and a telephone number or numbers that can be called to obtain information about the disposition of the case; 64  
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(6) The right of the victim in certain criminal or juvenile cases or of the victim's representative pursuant to section 2930.13 or 2930.14 of the Revised Code, subject to any reasonable terms set by the court as authorized under section 2930.14 of the Revised Code, to make a statement about the victimization and, if applicable, a statement relative to the sentencing or disposition of the offender; 71  
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(7) The opportunity to obtain a court order, pursuant to section 2945.04 of the Revised Code, to prevent or stop the commission of the offense of intimidation of a crime victim or witness or an offense against the person or property of the complainant, or of the complainant's ward or child; 78  
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(8) The right of the victim in certain criminal or juvenile cases or a victim's representative pursuant to sections 2151.38, 2929.20, 2930.10, 2930.16, and 2930.17 of the Revised Code to receive notice of a pending motion for judicial release or early release of the person who committed the offense against the victim, to make an oral or written statement at the court hearing on the motion, and to be notified of the court's decision on the motion;

(9) The right of the victim in certain criminal or juvenile cases or a victim's representative pursuant to section 2930.16, 2967.12, 2967.26, or 5139.56 of the Revised Code to receive notice of any pending commutation, pardon, parole, transitional control, discharge, other form of authorized release, post-release control, or supervised release for the person who committed the offense against the victim or any application for release of that person and to send a written statement relative to the victimization and the pending action to the adult parole authority or the release authority of the department of youth services;

(10) The right of the victim to bring a civil action pursuant to sections 2969.01 to 2969.06 of the Revised Code to obtain money from the offender's profit fund;

(11) The right, pursuant to section 3109.09 of the Revised Code, to maintain a civil action to recover compensatory damages not exceeding ten thousand dollars and costs from the parent of a minor who willfully damages property through the commission of an act that would be a theft offense, as defined in section 2913.01 of the Revised Code, if committed by an adult;

(12) The right, pursuant to section 3109.10 of the Revised Code, to maintain a civil action to recover compensatory damages not exceeding ten thousand dollars and costs from the parent of a minor who willfully and maliciously assaults a person;

(13) The possibility of receiving restitution from an 114  
offender or a delinquent child pursuant to section 2152.20, 115  
2929.18, or 2929.21 of the Revised Code; 116

(14) The right of the victim in certain criminal or juvenile 117  
cases or a victim's representative, pursuant to section 2930.16 of 118  
the Revised Code, to receive notice of the escape from confinement 119  
or custody of the person who committed the offense, to receive 120  
that notice from the custodial agency of the person at the 121  
victim's last address or telephone number provided to the 122  
custodial agency, and to receive notice that, if either the 123  
victim's address or telephone number changes, it is in the 124  
victim's interest to provide the new address or telephone number 125  
to the custodial agency; 126

(15) The right of a victim of domestic violence to seek the 127  
issuance of a temporary protection order pursuant to section 128  
2919.26 of the Revised Code, to seek the issuance of a civil 129  
protection order pursuant to section 3113.31 of the Revised Code, 130  
and to be accompanied by a victim advocate during court 131  
proceedings; 132

(16) The right of a victim of a sexually oriented offense 133  
that is committed by ~~a person~~ an offender or delinquent child who 134  
is adjudicated as being a sexual predator or, in certain cases, by 135  
~~a person~~ an offender or delinquent child who is determined to be a 136  
habitual sex offender to receive, pursuant to section 2950.10 of 137  
the Revised Code, notice that the ~~person~~ offender or delinquent 138  
child has registered with a sheriff under section 2950.04 or 139  
2950.05 of the Revised Code and notice of the ~~person's~~ offender's 140  
or delinquent child's name and residence address or addresses, and 141  
a summary of the manner in which the victim must make a request to 142  
receive the notice. As used in this division, "sexually oriented 143  
offense," "adjudicated as being a sexual predator," and "habitual 144  
sex offender" have the same meanings as in section 2950.01 of the 145

Revised Code. 146

(17) The right of a victim of certain sexually violent 147  
offenses committed by a sexually violent predator who is sentenced 148  
to a prison term pursuant to division (A)(3) of section 2971.03 of 149  
the Revised Code to receive, pursuant to section 2930.16 of the 150  
Revised Code, notice of a hearing to determine whether to modify 151  
the requirement that the offender serve the entire prison term in 152  
a state correctional facility, whether to continue, revise, or 153  
revoke any existing modification of that requirement, or whether 154  
to terminate the prison term. As used in this division, "sexually 155  
violent offense" and "sexually violent predator" have the same 156  
meanings as in section 2971.01 of the Revised Code. 157

(B)(1)(a) Subject to division (B)(1)(c) of this section, a 158  
prosecuting attorney, assistant prosecuting attorney, city 159  
director of law, assistant city director of law, village 160  
solicitor, assistant village solicitor, or similar chief legal 161  
officer of a municipal corporation or an assistant of any of those 162  
officers who prosecutes an offense committed in this state, upon 163  
first contact with the victim of the offense, the victim's family, 164  
or the victim's dependents, shall give the victim, the victim's 165  
family, or the victim's dependents a copy of the pamphlet prepared 166  
pursuant to division (A) of this section and explain, upon 167  
request, the information in the pamphlet to the victim, the 168  
victim's family, or the victim's dependents. 169

(b) Subject to division (B)(1)(c) of this section, a law 170  
enforcement agency that investigates an offense or delinquent act 171  
committed in this state shall give the victim of the offense or 172  
delinquent act, the victim's family, or the victim's dependents a 173  
copy of the pamphlet prepared pursuant to division (A) of this 174  
section at one of the following times: 175

(i) Upon first contact with the victim, the victim's family, 176  
or the victim's dependents; 177

(ii) If the offense or delinquent act is an offense of 178  
violence, if the circumstances of the offense or delinquent act 179  
and the condition of the victim, the victim's family, or the 180  
victim's dependents indicate that the victim, the victim's family, 181  
or the victim's dependents will not be able to understand the 182  
significance of the pamphlet upon first contact with the agency, 183  
and if the agency anticipates that it will have an additional 184  
contact with the victim, the victim's family, or the victim's 185  
dependents, upon the agency's second contact with the victim, the 186  
victim's family, or the victim's dependents. 187

If the agency does not give the victim, the victim's family, 188  
or the victim's dependents a copy of the pamphlet upon first 189  
contact with them and does not have a second contact with the 190  
victim, the victim's family, or the victim's dependents, the 191  
agency shall mail a copy of the pamphlet to the victim, the 192  
victim's family, or the victim's dependents at their last known 193  
address. 194

(c) In complying on and after December 9, 1994, with the 195  
duties imposed by division (B)(1)(a) or (b) of this section, an 196  
official or a law enforcement agency shall use copies of the 197  
pamphlet that are in the official's or agency's possession on 198  
December 9, 1994, until the official or agency has distributed all 199  
of those copies. After the official or agency has distributed all 200  
of those copies, the official or agency shall use only copies of 201  
the pamphlet that contain at least the information described in 202  
division (A)(1) to (17) of this section. 203

(2) The failure of a law enforcement agency or of a 204  
prosecuting attorney, assistant prosecuting attorney, city 205  
director of law, assistant city director of law, village 206  
solicitor, assistant village solicitor, or similar chief legal 207  
officer of a municipal corporation or an assistant to any of those 208  
officers to give, as required by division (B)(1) of this section, 209

the victim of an offense or delinquent act, the victim's family, 210  
or the victim's dependents a copy of the pamphlet prepared 211  
pursuant to division (A) of this section does not give the victim, 212  
the victim's family, the victim's dependents, or a victim's 213  
representative any rights under section 122.95, 2743.51 to 214  
2743.72, 2945.04, 2967.12, 2969.01 to 2969.06, 3109.09, or 3109.10 215  
of the Revised Code or under any other provision of the Revised 216  
Code and does not affect any right under those sections. 217

(3) A law enforcement agency, a prosecuting attorney or 218  
assistant prosecuting attorney, or a city director of law, 219  
assistant city director of law, village solicitor, assistant 220  
village solicitor, or similar chief legal officer of a municipal 221  
corporation that distributes a copy of the pamphlet prepared 222  
pursuant to division (A) of this section shall not be required to 223  
distribute a copy of an information card or other printed material 224  
provided by the clerk of the court of claims pursuant to section 225  
2743.71 of the Revised Code. 226

(C) The cost of printing and distributing the pamphlet 227  
prepared pursuant to division (A) of this section shall be paid 228  
out of the reparations fund, created pursuant to section 2743.191 229  
of the Revised Code, in accordance with division (D) of that 230  
section. 231

(D) As used in this section: 232

(1) "Victim's representative" has the same meaning as in 233  
section 2930.01 of the Revised Code; 234

(2) "Victim advocate" has the same meaning as in section 235  
2919.26 of the Revised Code. 236

**Sec. 2151.23.** (A) The juvenile court has exclusive original 237  
jurisdiction under the Revised Code as follows: 238

(1) Concerning any child who on or about the date specified 239



in the complaint, indictment, or information is alleged to have  
violated section 2151.87 of the Revised Code or an order issued  
under that section or to be a juvenile traffic offender or a  
delinquent, unruly, abused, neglected, or dependent child and,  
based on and in relation to the allegation pertaining to the  
child, concerning the parent, guardian, or other person having  
care of a child who is alleged to be an unruly or delinquent child  
for being an habitual or chronic truant;

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

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

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

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

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(6) To hear and determine all criminal cases in which an  
adult is charged with a 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, 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;

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(7) Under the interstate compact on juveniles in section 2151.56 of the Revised Code;	271 272
(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;	273 274 275 276
(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;	277 278 279 280
(10) To hear and determine applications for consent to marry pursuant to section 3101.04 of the Revised Code;	281 282
(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;	283 284 285 286 287 288 289
(12) Concerning an action commenced under section 121.38 of the Revised Code;	290 291
(13) To hear and determine violations of section 3321.38 of the Revised Code;	292 293
(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;	294 295 296 297 298
<u>(15) To conduct the hearings, and to make the determinations, adjudications, and orders authorized or required under sections</u>	299 300

2152.82 to 2152.84 and Chapter 2950. of the Revised Code regarding 301  
a child who has been adjudicated a delinquent child. 302

(B) Except as provided in division (I) of section 2301.03 of 303  
the Revised Code, the juvenile court has original jurisdiction 304  
under the Revised Code: 305

(1) To hear and determine all cases of misdemeanors charging 306  
adults with any act or omission with respect to any child, which 307  
act or omission is a violation of any state law or any municipal 308  
ordinance; 309

(2) To determine the paternity of any child alleged to have 310  
been born out of wedlock pursuant to sections 3111.01 to 3111.18 311  
of the Revised Code; 312

(3) Under the uniform interstate family support act in 313  
Chapter 3115. of the Revised Code; 314

(4) To hear and determine an application for an order for the 315  
support of any child, if the child is not a ward of another court 316  
of this state; 317

(5) To hear and determine an action commenced under section 318  
3111.28 of the Revised Code; 319

(6) To hear and determine a motion filed under section 320  
3119.961 of the Revised Code. 321

(C) The juvenile court, except as to juvenile courts that are 322  
a separate division of the court of common pleas or a separate and 323  
independent juvenile court, has jurisdiction to hear, determine, 324  
and make a record of any action for divorce or legal separation 325  
that involves the custody or care of children and that is filed in 326  
the court of common pleas and certified by the court of common 327  
pleas with all the papers filed in the action to the juvenile 328  
court for trial, provided that no certification of that nature 329  
shall be made to any juvenile court unless the consent of the 330

juvenile judge first is obtained. After a certification of that nature is made and consent is obtained, the juvenile court shall proceed as if the action originally had been begun in that court, except as to awards for spousal support or support due and unpaid at the time of certification, over which the juvenile court has no jurisdiction.

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

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

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

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

(G) Any juvenile court that makes or modifies an order for child support shall comply with Chapters 3119., 3121., 3123., and 3125. of the Revised Code. If any person required to pay child support under an order made by a juvenile court on or after April 15, 1985, or modified on or after December 1, 1986, is found in contempt of court for failure to make support payments under the order, the court that makes the finding, in addition to any other

penalty or remedy imposed, shall assess all court costs arising  
out of the contempt proceeding against the person and require the  
person to pay any reasonable attorney's fees of any adverse party,  
as determined by the court, that arose in relation to the act of  
contempt.

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(H) If a child who is charged with an act that would be an  
offense if committed by an adult was fourteen years of age or  
older and under eighteen years of age at the time of the alleged  
act and if the case is transferred for criminal prosecution  
pursuant to section 2152.12 of the Revised Code, the juvenile  
court does not have jurisdiction to hear or determine the case  
subsequent to the transfer. The court to which the case is  
transferred for criminal prosecution pursuant to that section has  
jurisdiction subsequent to the transfer to hear and determine the  
case in the same manner as if the case originally had been  
commenced in that court, including, but not limited to,  
jurisdiction to accept a plea of guilty or another plea authorized  
by Criminal Rule 11 or another section of the Revised Code and  
jurisdiction to accept a verdict and to enter a judgment of  
conviction pursuant to the Rules of Criminal Procedure against the  
child for the commission of the offense that was the basis of the  
transfer of the case for criminal prosecution, whether the  
conviction is for the same degree or a lesser degree of the  
offense charged, for the commission of a lesser-included offense,  
or for the commission of another offense that is different from  
the offense charged.

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(I) If a person under eighteen years of age allegedly commits  
an act that would be a felony if committed by an adult and if the  
person is not taken into custody or apprehended for that act until  
after the person attains twenty-one years of age, the juvenile  
court does not have jurisdiction to hear or determine any portion  
of the case charging the person with committing that act. In those

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circumstances, divisions (A) and (B) of section 2152.12 of the Revised Code do not apply regarding the act, and the case charging the person with committing the act shall be a criminal prosecution commenced and heard in the appropriate court having jurisdiction of the offense as if the person had been eighteen years of age or older when the person committed the act. All proceedings pertaining to the act shall be within the jurisdiction of the court having jurisdiction of the offense, and that court has all the authority and duties in the case that it has in other criminal cases in that court.

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**Sec. 2152.02.** As used in this chapter:

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

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

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

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

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(3) Any person who, while under eighteen years of age, commits an act that would be a felony if committed by an adult and who is not taken into custody or apprehended for that act until

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after the person attains twenty-one years of age is not a child in  
relation to that act.

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

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

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

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(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.

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(E) "Community corrections facility," "public safety beds,"  
"release authority," and "supervised release" have the same

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meanings as in section 5139.01 of the Revised Code.	455
(F) "Delinquent child" includes any of the following:	456
(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;	457 458 459 460
(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;	461 462 463 464
(3) Any child who violates division (A) of section 2923.211 of the Revised Code;	465 466
(4) Any child who is a habitual truant and who previously has been adjudicated an unruly child for being a habitual truant;	467 468
(5) Any child who is a chronic truant.	469
(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.	470 471 472
(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.	473 474 475 476
(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.	477 478 479
(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.	480 481 482
(K) "Electronic monitoring device," "certified electronic	483



monitoring device," "electronically monitored house arrest," 484  
"electronic monitoring system," and "certified electronic 485  
monitoring system" have the same meanings as in section 2929.23 of 486  
the Revised Code. 487

(L) "Economic loss" means any economic detriment suffered by 488  
a victim of a delinquent act as a result of the delinquent act and 489  
includes any loss of income due to lost time at work because of 490  
any injury caused to the victim and any property loss, medical 491  
cost, or funeral expense incurred as a result of the delinquent 492  
act. 493

(M) "Firearm" has the same meaning as in section 2923.11 of 494  
the Revised Code. 495

(N) "Juvenile traffic offender" means any child who violates 496  
any traffic law, traffic ordinance, or traffic regulation of this 497  
state, the United States, or any political subdivision of this 498  
state, other than a resolution, ordinance, or regulation of a 499  
political subdivision of this state the violation of which is 500  
required to be handled by a parking violations bureau or a joint 501  
parking violations bureau pursuant to Chapter 4521. of the Revised 502  
Code. 503

(O) A "legitimate excuse for absence from the public school 504  
the child is supposed to attend" has the same meaning as in 505  
section 2151.011 of the Revised Code. 506

(P) "Mandatory serious youthful offender" means a person who 507  
is eligible for a mandatory SYO and who is not transferred to 508  
adult court under a mandatory or discretionary transfer. 509

(Q) "Mandatory SYO" means a case in which the juvenile court 510  
is required to impose a mandatory serious youthful offender 511  
disposition under section 2152.13 of the Revised Code. 512

(R) "Mandatory transfer" means that a case is required to be 513  
transferred for criminal prosecution under division (A) of section 514

2152.12 of the Revised Code. 515

(S) "Mental illness" has the same meaning as in section 516  
5122.01 of the Revised Code. 517

(T) "Mentally retarded person" has the same meaning as in 518  
section 5123.01 of the Revised Code. 519

(U) "Monitored time" and "repeat violent offender" have the 520  
same meanings as in section 2929.01 of the Revised Code. 521

(V) "Of compulsory school age" has the same meaning as in 522  
section 3321.01 of the Revised Code. 523

(W) "Public record" has the same meaning as in section 149.43 524  
of the Revised Code. 525

(X) "Serious youthful offender" means a person who is 526  
eligible for a mandatory SYO or discretionary SYO but who is not 527  
transferred to adult court under a mandatory or discretionary 528  
transfer. 529

(Y) "Sexually oriented offense," ~~has~~ "habitual sex offender," 530  
"juvenile sex offender registrant," and "sexual predator" have the 531  
same ~~meaning~~ meanings as in section 2950.01 of the Revised Code. 532  
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(Z) "Traditional juvenile" means a case that is not 534  
transferred to adult court under a mandatory or discretionary 535  
transfer, that is eligible for a disposition under sections 536  
2152.16, 2152.17, 2152.19, and 2152.20 of the Revised Code, and 537  
that is not eligible for a disposition under section 2152.13 of 538  
the Revised Code. 539

(AA) "Transfer" means the transfer for criminal prosecution 540  
of a case involving the alleged commission by a child of an act 541  
that would be an offense if committed by an adult from the 542  
juvenile court to the appropriate court that has jurisdiction of 543  
the offense. 544

(BB) "Category one offense" means any of the following: 545

(1) A violation of section 2903.01 or 2903.02 of the Revised Code; 546  
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(2) A violation of section 2923.02 of the Revised Code involving an attempt to commit aggravated murder or murder. 548  
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(CC) "Category two offense" means any of the following: 550

(1) A violation of section 2903.03, 2905.01, 2907.02, 2909.02, 2911.01, or 2911.11 of the Revised Code; 551  
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(2) A violation of section 2903.04 of the Revised Code that is a felony of the first degree; 553  
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(3) A violation of section 2907.12 of the Revised Code as it existed prior to September 3, 1996. 555  
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**Sec. 2152.18.** (A) When a juvenile court commits a delinquent child to the custody of the department of youth services pursuant to this chapter, the court shall not designate the specific institution in which the department is to place the child but instead shall specify that the child is to be institutionalized in a secure facility. 557  
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(B) When a juvenile court commits a delinquent child to the custody of the department of youth services pursuant to this chapter, the court shall state in the order of commitment the total number of days that the child has been held in detention in connection with the delinquent child complaint upon which the order of commitment is based. The department shall reduce the minimum period of institutionalization that was ordered by both the total number of days that the child has been so held in detention as stated by the court in the order of commitment and the total number of any additional days that the child has been held in detention subsequent to the order of commitment but prior to the transfer of physical custody of the child to the 563  
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department.

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(C)(1) When a juvenile court commits a delinquent child to the custody of the department of youth services pursuant to this chapter, the court shall provide the department with the child's medical records, a copy of the report of any mental examination of the child ordered by the court, the Revised Code section or sections the child violated and the degree of each violation, the warrant to convey the child to the department, a copy of the court's journal entry ordering the commitment of the child to the legal custody of the department, a copy of the arrest record pertaining to the act for which the child was adjudicated a delinquent child, a copy of any victim impact statement pertaining to the act, and any other information concerning the child that the department reasonably requests. The court also shall complete the form for the standard predisposition investigation report that the department furnishes pursuant to section 5139.04 of the Revised Code and provide the department with the completed form.

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The department may refuse to accept physical custody of a delinquent child who is committed to the legal custody of the department until the court provides to the department the documents specified in this division. No officer or employee of the department who refuses to accept physical custody of a delinquent child who is committed to the legal custody of the department shall be subject to prosecution or contempt of court for the refusal if the court fails to provide the documents specified in this division at the time the court transfers the physical custody of the child to the department.

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(2) Within twenty working days after the department of youth services receives physical custody of a delinquent child from a juvenile court, the court shall provide the department with a certified copy of the child's birth certificate and the child's social security number or, if the court made all reasonable

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efforts to obtain the information but was unsuccessful, with  
documentation of the efforts it made to obtain the information.

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(D)(1) Within ten days after an adjudication that a child is  
a delinquent child, the court shall give written notice of the  
adjudication to the superintendent of a city, local, exempted  
village, or joint vocational school district, and to the principal  
of the school the child attends, if the basis of the adjudication  
was the commission of an act that would be a criminal offense if  
committed by an adult, if the act was committed by the delinquent  
child when the child was fourteen years of age or older, and if  
the act is any of the following:

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

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

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

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(d) An act that would be a criminal offense if committed by  
an adult and that results in serious physical harm to persons or  
serious physical harm to property while the child is at school, on

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any other property owned or controlled by the board, or at an  
interscholastic competition, an extracurricular event, or any  
other school program or activity;

(e) Complicity in any violation described in division  
(D)(1)(a), (b), (c), or (d) of this section that was alleged to  
have been committed in the manner described in division (D)(1)(a),  
(b), (c), or (d) of this section, regardless of whether the act of  
complicity was committed on property owned or controlled by, or at  
an activity held under the auspices of, the board of education of  
that school district.

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

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

(4) Within fourteen days after releasing a child from an  
institution under its control, the department of youth services  
shall provide the court and the school with an updated copy of the  
child's school transcript and a summary of the institutional

record of the child. The department also shall provide the court  
with a copy of any portion of the child's institutional record  
that the court specifically requests, within five working days of  
the request.

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

(F) When a juvenile court commits a child to the department  
of youth services pursuant to this chapter for an act that is a  
sexually oriented offense, the court in the order of commitment  
shall order the department to provide the child with treatment  
that is appropriate for persons who commit sexually oriented  
offenses and that is intended to ensure that they do not commit  
sexually oriented offenses in the future.

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

(1) Any order that is authorized by section 2151.353 of the  
Revised Code for the care and protection of an abused, neglected,  
or dependent child-;i

(2) Commit the child to the temporary custody of any school,  
camp, institution, or other facility operated for the care of

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delinquent children by the county, by a district organized under 701  
section 2152.41 or 2151.65 of the Revised Code, or by a private 702  
agency or organization, within or without the state, that is 703  
authorized and qualified to provide the care, treatment, or 704  
placement required; 705

(3) Place the child on community control under any sanctions, 706  
services, and conditions that the court prescribes. As a condition 707  
of community control in every case and in addition to any other 708  
condition that it imposes upon the child, the court shall require 709  
the child to abide by the law during the period of community 710  
control. As referred to in this division, community control 711  
includes, but is not limited to, the following sanctions and 712  
conditions: 713

(a) A period of basic probation supervision in which the 714  
child is required to maintain contact with a person appointed to 715  
supervise the child in accordance with sanctions imposed by the 716  
court; 717

(b) A period of intensive probation supervision in which the 718  
child is required to maintain frequent contact with a person 719  
appointed by the court to supervise the child while the child is 720  
seeking or maintaining employment and participating in training, 721  
education, and treatment programs as the order of disposition; 722

(c) A period of day reporting in which the child is required 723  
each day to report to and leave a center or another approved 724  
reporting location at specified times in order to participate in 725  
work, education or training, treatment, and other approved 726  
programs at the center or outside the center; 727

(d) A period of community service of up to five hundred hours 728  
for an act that would be a felony or a misdemeanor of the first 729  
degree if committed by an adult, up to two hundred hours for an 730  
act that would be a misdemeanor of the second, third, or fourth 731



degree if committed by an adult, or up to thirty hours for an act 732  
that would be a minor misdemeanor if committed by an adult; 733

(e) A requirement that the child obtain a high school 734  
diploma, a certificate of high school equivalence, vocational 735  
training, or employment; 736

(f) A period of drug and alcohol use monitoring; 737

(g) A requirement of alcohol or drug assessment or 738  
counseling, or a period in an alcohol or drug treatment program 739  
with a level of security for the child as determined necessary by 740  
the court; 741

(h) A period in which the court orders the child to observe a 742  
curfew that may involve daytime or evening hours; 743

(i) A requirement that the child serve monitored time; 744

(j) A period of house arrest with or without electronic 745  
monitoring; 746

(k) A period of electronic monitoring without house arrest or 747  
electronically monitored house arrest that does not exceed the 748  
maximum sentence of imprisonment that could be imposed upon an 749  
adult who commits the same act. 750

A period of electronically monitored house arrest imposed 751  
under this division shall not extend beyond the child's 752  
twenty-first birthday. If a court imposes a period of 753  
electronically monitored house arrest upon a child under this 754  
division, it shall require the child: to wear, otherwise have 755  
attached to the child's person, or otherwise be subject to 756  
monitoring by a certified electronic monitoring device or to 757  
participate in the operation of and monitoring by a certified 758  
electronic monitoring system; to remain in the child's home or 759  
other specified premises for the entire period of electronically 760  
monitored house arrest except when the court permits the child to 761

leave those premises to go to school or to other specified 762  
premises; to be monitored by a central system that can determine 763  
the child's location at designated times; to report periodically 764  
to a person designated by the court; and to enter into a written 765  
contract with the court agreeing to comply with all requirements 766  
imposed by the court, agreeing to pay any fee imposed by the court 767  
for the costs of the electronically monitored house arrest, and 768  
agreeing to waive the right to receive credit for any time served 769  
on electronically monitored house arrest toward the period of any 770  
other dispositional order imposed upon the child if the child 771  
violates any of the requirements of the dispositional order of 772  
electronically monitored house arrest. The court also may impose 773  
other reasonable requirements upon the child. 774

Unless ordered by the court, a child shall not receive credit 775  
for any time served on electronically monitored house arrest 776  
toward any other dispositional order imposed upon the child for 777  
the act for which was imposed the dispositional order of 778  
electronically monitored house arrest. 779

(1) A suspension of the driver's license, probationary 780  
driver's license, or temporary instruction permit issued to the 781  
child or a suspension of the registration of all motor vehicles 782  
registered in the name of the child. A child whose license or 783  
permit is so suspended is ineligible for issuance of a license or 784  
permit during the period of suspension. At the end of the period 785  
of suspension, the child shall not be reissued a license or permit 786  
until the child has paid any applicable reinstatement fee and 787  
complied with all requirements governing license reinstatement. 788

(4) Commit the child to the custody of the court; 789

(5) Require the child to not be absent without legitimate 790  
excuse from the public school the child is supposed to attend for 791  
five or more consecutive days, seven or more school days in one 792  
school month, or twelve or more school days in a school year; 793

(6)(a) 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 a habitual truant, do either or both of the following:

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

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

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

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

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

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

(a) A state correctional institution, a county, multicounty,

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 920  
child, and a motor vehicle, another item of tangible or intangible 921  
personal property, or other real property in which the delinquent 922  
child has a right, title, or interest or for which the delinquent 923  
child has the express or implied permission of a person with a 924  
right, title, or interest to use, occupy, or possess if the 925  
probation officers have reasonable grounds to believe that the 926  
delinquent child is not abiding by the law or otherwise is not 927  
complying with the conditions of the delinquent child's community 928  
control. The court that places a delinquent child on community 929  
control under this section shall provide the delinquent child with 930  
a written notice that informs the delinquent child that authorized 931  
probation officers who are engaged within the scope of their 932  
supervisory duties or responsibilities may conduct those types of 933  
searches during the period of community control if they have 934  
reasonable grounds to believe that the delinquent child is not 935  
abiding by the law or otherwise is not complying with the 936  
conditions of the delinquent child's community control. The court 937  
also shall provide the written notice described in division (E)(2) 938  
of this section to each parent, guardian, or custodian of the 939  
delinquent child who is described in that division. 940

(2) The court that places a child on community control under 941  
this section shall provide the child's parent, guardian, or other 942  
custodian with a written notice that informs them that authorized 943  
probation officers may conduct searches pursuant to division 944  
(E)(1) of this section. The notice shall specifically state that a 945  
permissible search might extend to a motor vehicle, another item 946  
of tangible or intangible personal property, or a place of 947  
residence or other real property in which a notified parent, 948  
guardian, or custodian has a right, title, or interest and that 949  
the parent, guardian, or custodian expressly or impliedly permits 950  
the child to use, occupy, or possess. 951

(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 (F) of section 2152.18 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, both of the following apply:

(A) Sections 2152.82 to 2152.84 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 2152.84 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 section 2152.83 or 2152.84 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, 2152.83, and 2152.84 of the Revised Code, and any other



provision of law that specifies a different duration for a 982  
dispositional order, all other dispositional orders made by the 983  
court under this chapter shall be temporary and shall continue for 984  
a period that is designated by the court in its order, until 985  
terminated or modified by the court or until the child attains 986  
twenty-one years of age. 987

The department shall not release the child from a department 988  
facility and as a result shall not discharge the child or order 989  
the child's release on supervised release prior to the expiration 990  
of the period of court control over the child or prior to the 991  
child's attainment of twenty-one years of age, except upon the 992  
order of a court pursuant to division (B) or (C) of this section 993  
or in accordance with section 5139.54 of the Revised Code. 994

(B)(1) The court that commits a delinquent child to the 995  
department may grant judicial release of the child to court 996  
supervision under this division, during any of the following 997  
periods that are applicable, provided any commitment imposed under 998  
division (A), (B), or (C) of section 2152.17 of the Revised Code 999  
has ended: 1000

(a) If the child was given a disposition under section 1001  
2152.16 of the Revised Code for committing an act that would be a 1002  
felony of the third, fourth, or fifth degree if committed by an 1003  
adult, at any time during the first ninety days of the period of 1004  
court control over the child; 1005

(b) If the child was given a disposition under section 1006  
2152.13 or 2152.16 of the Revised Code, or both of those sections, 1007  
for committing an act that would be a felony of the first or 1008  
second degree if committed by an adult, at any time during the 1009  
first one hundred eighty days of the period of court control over 1010  
the child; 1011

(c) If the child was committed to the department until the 1012  
child attains twenty-one years of age for an act that would be 1013

aggravated murder or murder if committed by an adult, at any time 1014  
during the first half of the prescribed period of that commitment 1015  
of the child. 1016

(2) If the department of youth services desires to release a 1017  
child during a period specified in division (B)(1) of this 1018  
section, it shall request the court that committed the child to 1019  
grant a judicial release of the child to court supervision. During 1020  
whichever of those periods is applicable, the child or the parents 1021  
of the child also may request that court to grant a judicial 1022  
release of the child to court supervision. Upon receipt of a 1023  
request for a judicial release to court supervision from the 1024  
department, the child, or the child's parent, or upon its own 1025  
motion, the court that committed the child shall do one of the 1026  
following: approve the release by journal entry; schedule within 1027  
thirty days after the request is received a time for a hearing on 1028  
whether the child is to be released; or reject the request by 1029  
journal entry without conducting a hearing. 1030

If the court rejects an initial request for a release under 1031  
this division by the child or the child's parent, the child or the 1032  
child's parent may make one additional request for a judicial 1033  
release to court supervision within the applicable period. The 1034  
additional request may be made no earlier than thirty days after 1035  
the filing of the prior request for a judicial release to court 1036  
supervision. Upon the filing of a second request for a judicial 1037  
release to court supervision, the court shall either approve or 1038  
disapprove the release by journal entry or schedule within thirty 1039  
days after the request is received a time for a hearing on whether 1040  
the child is to be released. 1041

(3) If a court schedules a hearing under division (B)(2) of 1042  
this section, it may order the department to deliver the child to 1043  
the court on the date set for the hearing and may order the 1044  
department to present to the court a report on the child's 1045

progress in the institution to which the child was committed and 1046  
recommendations for conditions of supervision of the child by the 1047  
court after release. The court may conduct the hearing without the 1048  
child being present. The court shall determine at the hearing 1049  
whether the child should be granted a judicial release to court 1050  
supervision. 1051

If the court approves the release, it shall order its staff 1052  
to prepare a written treatment and rehabilitation plan for the 1053  
child that may include any conditions of the child's release that 1054  
were recommended by the department and approved by the court. The 1055  
committing court shall send the juvenile court of the county in 1056  
which the child is placed a copy of the recommended plan. The 1057  
court of the county in which the child is placed may adopt the 1058  
recommended conditions set by the committing court as an order of 1059  
the court and may add any additional consistent conditions it 1060  
considers appropriate. If a child is granted a judicial release to 1061  
court supervision, the release discharges the child from the 1062  
custody of the department of youth services. 1063

(C)(1) The court that commits a delinquent child to the 1064  
department may grant judicial release of the child to department 1065  
of youth services supervision under this division, during any of 1066  
the following periods that are applicable, provided any commitment 1067  
imposed under division (A), (B), or (C) of section 2152.17 of the 1068  
Revised Code has ended: 1069

(a) If the child was given a disposition under section 1070  
2152.16 of the Revised Code for an act that would be a felony of 1071  
the third, fourth, or fifth degree if committed by an adult, at 1072  
any time during the period of court control over the child, 1073  
provided that at least ninety days of that period have elapsed; 1074

(b) If the child was given a disposition under section 1075  
2152.13 or 2152.16 of the Revised Code, or both of those sections, 1076  
for an act that would be a felony of the first or second degree if 1077

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;

(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.

(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.

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 1110  
for a hearing on whether the child is to be released. 1111

(3) If a court schedules a hearing under division (C)(2) of 1112  
this section, it may order the department to deliver the child to 1113  
the court on the date set for the hearing and shall order the 1114  
department to present to the court at that time a treatment plan 1115  
for the child's post-institutional care. The court may conduct the 1116  
hearing without the child being present. The court shall determine 1117  
at the hearing whether the child should be granted a judicial 1118  
release to department of youth services supervision. 1119

If the court approves the judicial release to department of 1120  
youth services supervision, the department shall prepare a written 1121  
treatment and rehabilitation plan for the child pursuant to 1122  
division (E) of this section that shall include the conditions of 1123  
the child's release. It shall send the committing court and the 1124  
juvenile court of the county in which the child is placed a copy 1125  
of the plan. The court of the county in which the child is placed 1126  
may adopt the conditions set by the department as an order of the 1127  
court and may add any additional consistent conditions it 1128  
considers appropriate, provided that the court may not add any 1129  
condition that decreases the level or degree of supervision 1130  
specified by the department in its plan, that substantially 1131  
increases the financial burden of supervision that will be 1132  
experienced by the department, or that alters the placement 1133  
specified by the department in its plan. If the court of the 1134  
county in which the child is placed adds to the department's plan 1135  
any additional conditions, it shall enter those additional 1136  
conditions in its journal and shall send to the department a copy 1137  
of the journal entry of the additional conditions. 1138

If the court approves the judicial release to department of 1139  
youth services supervision, the actual date on which the 1140  
department shall release the child is contingent upon the 1141

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

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

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

orders the child returned to a department institution, the child 1174  
shall remain in institutional care for a minimum of three months 1175  
or until the child successfully completes a revocation program of 1176  
a duration of not less than thirty days operated either by the 1177  
department or by an entity with which the department has 1178  
contracted to provide a revocation program. 1179

(E) The department of youth services, prior to the release of 1180  
a child pursuant to division (C) of this section, shall do all of 1181  
the following: 1182

(1) After reviewing the child's rehabilitative progress 1183  
history and medical and educational records, prepare a written 1184  
treatment and rehabilitation plan for the child that includes 1185  
conditions of the release; 1186

(2) Completely discuss the conditions of the plan prepared 1187  
pursuant to division (E)(1) of this section and the possible 1188  
penalties for violation of the plan with the child and the child's 1189  
parents, guardian, or legal custodian; 1190

(3) Have the plan prepared pursuant to division (E)(1) of 1191  
this section signed by the child, the child's parents, legal 1192  
guardian, or custodian, and any authority or person that is to 1193  
supervise, control, and provide supportive assistance to the child 1194  
at the time of the child's release pursuant to division (C) of 1195  
this section; 1196

(4) Prior to the child's release, file a copy of the 1197  
treatment plan prepared pursuant to division (E)(1) of this 1198  
section with the committing court and the juvenile court of the 1199  
county in which the child is to be placed. 1200

(F) The department of youth services shall file a written 1201  
progress report with the committing court regarding each child 1202  
released pursuant to division (C) of this section at least once 1203  
every thirty days unless specifically directed otherwise by the 1204

court. The report shall indicate the treatment and rehabilitative  
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.

(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.

**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 either of the following applies:

(1) The delinquent child was sixteen or seventeen years of  
age at the time of committing the offense.

(2) The delinquent child was fourteen or fifteen 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.

(B) If a child is adjudicated a delinquent child for



committing on or after the effective date of this section a 1236  
sexually oriented offense, if the delinquent child was fourteen or 1237  
fifteen years of age at the time of committing the offense, and if 1238  
division (A)(2) of this section does not apply, the juvenile court 1239  
judge who adjudicated the child a delinquent child may, in the 1240  
judge's discretion and after consideration of the factors listed 1241  
in division (D) of this section, issue an order that classifies 1242  
the child a juvenile sex offender registrant and specifies that 1243  
the child has a duty to register under section 2950.04 of the 1244  
Revised Code. 1245

(C) An order required under division (A) of this section or 1246  
authorized under division (B) of this section shall be issued at 1247  
the time the judge makes the orders of disposition for the 1248  
delinquent child. Prior to issuing the order, the judge shall 1249  
conduct the hearing and make the determinations required by, and 1250  
otherwise comply with, divisions (B) and (E) of section 2950.09 of 1251  
the Revised Code. When a judge issues an order under division (A) 1252  
or (B) of this section, all of the following apply: 1253

(1) The judge shall include in the order any determination 1254  
that the delinquent child is a sexual predator or is a habitual 1255  
sex offender that the judge makes pursuant to division (B) or (E) 1256  
of section 2950.09 of the Revised Code and any related information 1257  
required or authorized under the division under which the 1258  
determination is made, including, but not limited to, any 1259  
requirement imposed by the court subjecting a child who is a 1260  
habitual sex offender to community notification provisions as 1261  
described in division (E) of that section. 1262

(2) The judge shall include in the order a statement that, 1263  
upon completion of the disposition of the delinquent child that 1264  
was made for the sexually oriented offense upon which the order is 1265  
based, a hearing will be conducted and the order is subject to 1266  
modification or termination pursuant to section 2152.83 of the 1267

Revised Code. 1268

(3) The judge shall provide a copy of the order to the delinquent child and to the delinquent child's parent, guardian, or custodian, as part of the notice provided under divisions (A) and (B) of section 2950.03 of the Revised Code. 1269  
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(4) The judge shall include the order in the delinquent child's dispositional order and shall specify in the dispositional order that the order issued under division (A) or (B) of this section was made pursuant to this section. 1273  
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(D) In making a decision under division (B) of this section as to whether to issue an order that classifies a delinquent child a juvenile sex offender registrant and specifies that the child has a duty to register under section 2950.04 of the Revised Code, a judge shall consider all relevant factors, including, but not limited to, all of the following: 1277  
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(1) The nature of the sexually oriented offense committed by the child; 1283  
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(2) Whether the child has shown any genuine remorse or compunction for the offense; 1285  
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(3) The public interest and safety; 1287

(4) The factors set forth in division (B)(3) of section 2950.09 of the Revised Code; 1288  
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(5) The factors set forth in divisions (B) and (C) of section 2929.12 of the Revised Code as those factors apply regarding the delinquent child, the offense, and the victim. 1290  
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(E) An order issued under division (A) or (B) of this section 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 2152.83 or 2152.84 of the Revised Code. If an order is issued under division (A) or (B) of 1293  
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this section, the child's attainment of eighteen or twenty-one 1298  
years of age does not affect or terminate the order, and the order 1299  
remains in effect for the period of time described in this 1300  
division. 1301

**Sec. 2152.83.** (A)(1) When a juvenile court judge issues an 1302  
order under division (A) or (B) of section 2152.82 of the Revised 1303  
Code that classifies a delinquent child a juvenile sex offender 1304  
registrant and specifies that the child has a duty to register 1305  
under section 2950.04 of the Revised Code, upon completion of the 1306  
disposition of that delinquent child that the judge made for the 1307  
sexually oriented offense on which the juvenile sex offender 1308  
registrant order was based, the judge or the judge's successor in 1309  
office shall conduct a hearing to do all of the following: 1310

(a) Review the effectiveness of the disposition and of any 1311  
treatment provided for the child; 1312

(b) If the order also contains a determination that the 1313  
delinquent child is a sexual predator or a habitual sex offender 1314  
that the court made pursuant to division (B) or (E) of section 1315  
2950.09 of the Revised Code, determine whether the classification 1316  
of the child as a sexual predator, habitual sex offender, or 1317  
juvenile sex offender registrant should be continued or modified 1318  
or, regarding an order issued under division (B) of section 1319  
2152.82 of the Revised Code, terminated; 1320

(c) If the order was issued under division (B) of section 1321  
2152.82 of the Revised Code and does not contain a sexual predator 1322  
or a habitual sex offender determination that the court makes as 1323  
described in division (A)(1)(b) of this section, determine whether 1324  
the classification of the child as a juvenile sex offender 1325  
registrant should be continued, modified, or terminated. 1326

(2) Upon completion of a hearing under division (A)(1) of 1327  
this section, the judge, in the judge's discretion and after 1328

consideration of the factors listed in division (E) of this 1329  
section, shall do one of the following, as applicable: 1330

(a) Enter an order that continues the classification of the 1331  
delinquent child made in the order issued under division (A) or 1332  
(B) of section 2152.82 of the Revised Code, and any sexual 1333  
predator or habitual sex offender determination included in the 1334  
order; 1335

(b) If the order was issued under division (A) of section 1336  
2152.82 of the Revised Code and includes a determination by the 1337  
judge that the delinquent child is a sexual predator, enter an 1338  
order that contains a determination that the delinquent child no 1339  
longer is a sexual predator and that also contains either a 1340  
determination that the delinquent child is a habitual sex offender 1341  
or a determination that the delinquent child remains a juvenile 1342  
sex offender registrant but is not a sexual predator or habitual 1343  
sex offender; 1344

(c) If the order was issued under division (A) of section 1345  
2152.82 of the Revised Code and does not include a sexual predator 1346  
determination as described in division (A)(2)(b) of this section 1347  
but includes a determination by the judge that the delinquent 1348  
child is a habitual sex offender, enter an order that contains a 1349  
determination that the delinquent child no longer is a habitual 1350  
sex offender and that also contains a determination that the 1351  
delinquent child remains a juvenile sex offender registrant but is 1352  
not a habitual sex offender; 1353

(d) If the order was issued under division (B) of section 1354  
2152.82 of the Revised Code and includes a determination by the 1355  
judge that the delinquent child is a sexual predator, enter an 1356  
order that contains a determination that the delinquent child no 1357  
longer is a sexual predator and that also contains a determination 1358  
that the delinquent child is a habitual sex offender, a 1359  
determination that the delinquent child remains a juvenile sex 1360

offender registrant but is not a sexual predator or habitual sex 1361  
offender, or a determination that specifies that the delinquent 1362  
child no longer is a juvenile sex offender registrant and no 1363  
longer has a duty to register under section 2950.04 of the Revised 1364  
Code; 1365

(e) If the order was issued under division (B) of section 1366  
2152.82 of the Revised Code and does not include a sexual predator 1367  
determination as described in division (A)(2)(d) of this section 1368  
but includes a determination by the judge that the delinquent 1369  
child is a habitual sex offender, enter an order that contains a 1370  
determination that the child no longer is a habitual sex offender 1371  
and that also contains either a determination that the child 1372  
remains a juvenile sex offender registrant but is not a sexual 1373  
predator or habitual sex offender or a determination that 1374  
specifies that the child no longer is a juvenile sex offender 1375  
registrant and no longer has a duty to register under section 1376  
2950.04 of the Revised Code; 1377

(f) If the order was issued under division (B) of section 1378  
2152.82 of the Revised Code, the order does not include a sexual 1379  
predator determination or a habitual sex offender determination as 1380  
described in divisions (A)(2)(d) and (e) of this section, and 1381  
division (A)(2)(a) of this section does not apply, enter an order 1382  
that contains a determination that the delinquent child no longer 1383  
is a juvenile sex offender registrant and no longer has a duty to 1384  
register under section 2950.04 of the Revised Code. 1385

(B) If a juvenile court judge is authorized to issue an order 1386  
under division (B) of section 2152.82 of the Revised Code that 1387  
classifies a particular delinquent child a juvenile sex offender 1388  
registrant and specifies that the child has a duty to register 1389  
under section 2950.04 of the Revised Code but the judge does not 1390  
issue an order of that nature for that delinquent child, upon 1391  
completion of the disposition of that delinquent child that the 1392

judge made for the sexually oriented offense on which the juvenile 1393  
sex offender registrant order could have been based, the judge or 1394  
the judge's successor in office, on the judge's own motion, may 1395  
conduct a hearing to review the effectiveness of the disposition 1396  
and of any treatment provided for the child and to determine 1397  
whether the child should be classified a juvenile sex offender 1398  
registrant. The judge may conduct the hearing on the judge's own 1399  
initiative or based upon a recommendation of an officer or 1400  
employee of the department of youth services, a probation officer, 1401  
an employee of the court, or a prosecutor or law enforcement 1402  
officer. If the judge conducts such a hearing, upon completion of 1403  
the hearing, the judge, in the judge's discretion and after 1404  
consideration of the factors listed in division (E) of this 1405  
section, shall do either of the following: 1406

(1) Decline to issue an order that classifies the child a 1407  
juvenile sex offender registrant and specifies that the child has 1408  
a duty to register under section 2950.04 of the Revised Code; 1409

(2) Issue an order that classifies the child as a juvenile 1410  
sex offender registrant and specifies that the child has a duty to 1411  
register under section 2950.04 of the Revised Code and, if the 1412  
judge determines as described in division (C) of this section that 1413  
the child is a sexual predator or a habitual sex offender, include 1414  
in the order a statement that the judge has determined that the 1415  
child is a sexual predator or a habitual sex offender, whichever 1416  
is applicable. 1417

(C) If a judge issues an order under division (A)(2)(a) of 1418  
this section that continues the prior classification of the 1419  
delinquent child as a juvenile sex offender registrant and any 1420  
sexual predator or habitual sex offender determination included in 1421  
the order, the prior classification and the prior determination, 1422  
if applicable, shall remain in effect. 1423

A judge may issue an order under division (A)(2) of this 1424

section that contains a determination that a child no longer is a 1425  
sexual predator only if the judge, in accordance with the 1426  
procedures specified in division (D)(1) of section 2950.09 of the 1427  
Revised Code, determines at the hearing by clear and convincing 1428  
evidence that the delinquent child is unlikely to commit a 1429  
sexually oriented offense in the future. If the judge issues an 1430  
order of that type, the judge shall provide the notifications 1431  
described in division (D)(1) of section 2950.09 of the Revised 1432  
Code, and the recipient of the notification shall comply with the 1433  
provisions of that division. 1434

A judge may issue an order under division (B)(2) of this 1435  
section that contains a determination that a delinquent child is a 1436  
sexual predator only if the judge, in accordance with the 1437  
procedures specified in division (B) of section 2950.09 of the 1438  
Revised Code, determines at the hearing by clear and convincing 1439  
evidence that the child is a sexual predator. A judge may issue an 1440  
order under division (B)(2) of this section that contains a 1441  
determination that a delinquent child is a habitual sex offender 1442  
only if the judge determines at the hearing as described in 1443  
division (E) of section 2950.09 of the Revised Code that the child 1444  
is a habitual sex offender. If the judge issues an order under 1445  
division (B)(2) of this section that contains a determination that 1446  
a delinquent child is a habitual sex offender, the judge may 1447  
impose a requirement subjecting the child to community 1448  
notification provisions as described in division (E) of section 1449  
2950.09 of the Revised Code. 1450

(D) If a judge issues an order under any provision of 1451  
division (A)(2) or (B)(2) of this section, the judge shall provide 1452  
to the delinquent child and to the delinquent child's parent, 1453  
guardian, or custodian a copy of the order and a notice containing 1454  
the information described in divisions (A)(5), (B)(1)(c), and 1455  
(B)(1)(f) of section 2950.03 of the Revised Code. The judge shall 1456

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.

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(E) In making a decision under division (A) of this section  
as to whether the classification of a delinquent child as a  
juvenile sex offender registrant and any determination that the  
delinquent child is a sexual predator or habitual sex offender  
should be continued or modified, or when permissible, terminated,  
and in making a decision under division (B) of this section as to  
whether a delinquent child should be classified as a juvenile sex  
offender registrant and, if so, whether the child also is a sexual  
predator or a habitual sex offender, a judge shall consider all  
relevant factors, including, but not limited to, both of the  
following:

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(1) The factors listed in division (D) of section 2152.82 of  
the Revised Code;

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

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(F) An order issued under division (A)(2) or (B)(2) of this  
section 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 2152.84 of the Revised  
Code. If an order is issued under division (A)(2) or (B)(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.

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**Sec. 2152.84.** (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 adjudicated a delinquent

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child for committing on or after the effective date of this 1489  
section a sexually oriented offense, who was fourteen years of age 1490  
or older at the time of committing the offense, and who has been 1491  
classified by a juvenile court judge pursuant to section 2152.82 1492  
or 2152.83 of the Revised Code or this section a juvenile sex 1493  
offender registrant relative to that sexually oriented offense may 1494  
petition the judge who made the classification, or that judge's 1495  
successor in office, to do one of the following: 1496

(1) If the order containing the juvenile sex offender 1497  
registrant classification also includes a determination by the 1498  
juvenile court judge that the delinquent child is a sexual 1499  
predator relative to the offense in the manner described in 1500  
section 2152.82 or 2152.83 of the Revised Code and that 1501  
determination remains in effect, to enter an order that contains a 1502  
determination that the child no longer is a sexual predator and 1503  
that also contains either a determination that the child is a 1504  
habitual sex offender or a determination that the child remains a 1505  
juvenile sex offender registrant but is not a sexual predator or 1506  
habitual sex offender; 1507

(2) If the order containing the juvenile sex offender 1508  
registrant classification does not include a sexual predator 1509  
determination as described in division (A)(1) of this section but 1510  
includes a determination by the juvenile court judge that the 1511  
delinquent child is a habitual sex offender relative to the 1512  
offense in the manner described in section 2152.82 or 2152.83 of 1513  
the Revised Code, or in this section, and that determination 1514  
remains in effect, to enter an order that contains a determination 1515  
that the child no longer is a habitual sex offender and that also 1516  
contains a determination that the child remains a juvenile sex 1517  
offender registrant; 1518

(3) If the order containing the juvenile sex offender 1519  
registrant classification does not include a sexual predator or 1520

habitual sex offender determination as described in division 1521  
(A)(1) or (2) of this section, to enter an order that contains a 1522  
determination that the child no longer is a juvenile sex offender 1523  
registrant and no longer has a duty to register under section 1524  
2950.04 of the Revised Code. 1525

(B) A delinquent child who has been adjudicated a delinquent 1526  
child for committing on or after the effective date of this 1527  
section a sexually oriented offense and who has been classified a 1528  
juvenile sex offender registrant may file a petition under 1529  
division (A) of this section requesting reclassification or 1530  
declassification as described in that division after the 1531  
expiration of one of the following periods of time: 1532

(1) The delinquent child initially may file a petition not 1533  
earlier than three years after the entry of the juvenile court 1534  
judge's order after the mandatory hearing conducted under division 1535  
(A) of section 2152.83 of the Revised Code or not earlier than 1536  
three years after the entry of the juvenile court judge's order 1537  
under division (B) of that section that contains the 1538  
classification or determination in question, whichever is 1539  
applicable. 1540

(2) After the delinquent child's initial filing of a petition 1541  
under division (B)(1) of this section, the child may file a second 1542  
petition not earlier than three years after the judge has entered 1543  
an order deciding the petition under division (B)(1) of this 1544  
section. 1545

(3) After the delinquent child's filing of a petition under 1546  
division (B)(2) of this section, thereafter, the delinquent child 1547  
may file a petition under this division upon the expiration of 1548  
five years after the judge has entered an order deciding the 1549  
petition under division (B)(2) of this section or the most recent 1550  
petition the delinquent child has filed under this division. 1551

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

(1) Enter an order denying the petition;

(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.

(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.

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.

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 determination that a delinquent child is a habitual sex offender, the judge may impose a requirement subjecting the child to community notification provisions as described in that division. 1583  
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(E) If a judge issues an order under division (C) 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)(5), (B)(1)(c), and (B)(1)(f) 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 section 2950.03 of the Revised Code, and shall comply with divisions (B)(1), (B)(2), and (C) of that section regarding that notice. 1588  
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(F) An order issued under division (C) of this section shall remain in effect for the period of time specified in section 2950.07 of the Revised Code, subject to a further modification or a termination of the order under this section. If an order is issued under division (C) 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. 1598  
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**Sec. 2919.24.** (A) No person shall do ~~either~~ any of the following: 1607  
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(1) Aid, abet, induce, cause, encourage, or contribute to a child or a ward of the juvenile court becoming an unruly child, as defined in section 2151.022 of the Revised Code, or a delinquent child, as defined in section 2151.02 of the Revised Code; 1609  
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(2) Act in a way tending to cause a child or a ward of the 1613

juvenile court to become an unruly child, as defined in section  
2151.022 of the Revised Code, or a delinquent child, as defined in  
section 2151.02 of the Revised Code;

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

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

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

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

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(B) "Habitual sex offender" means a person ~~who~~ to whom both  
of the following apply:

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(1) The person is convicted of or pleads guilty to a sexually  
oriented offense and who, or the person is adjudicated a  
delinquent child for committing on or after the effective date of  
this amendment a sexually oriented offense, was fourteen years of  
age or older at the time of committing the offense, and is  
classified a juvenile sex offender registrant by the adjudicating  
juvenile court judge or that judge's successor in office based on  
that adjudication.

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(2) The person previously has been convicted of or pleaded guilty to one or more sexually oriented offenses or, regarding a delinquent child, previously has been adjudicated a delinquent child for committing one or more sexually oriented offenses. 1644  
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(C) "Prosecutor" has the same meaning as in section 2935.01 of the Revised Code. 1648  
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(D) "Sexually oriented offense" means any of the following: 1650

(1) Subject to division (D)(2) of this section, any of the following violations or offenses: 1651  
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~~(1)~~(a) Regardless of the age of the victim of the offense, a violation of section 2907.02, 2907.03, or 2907.05 of the Revised Code; 1653  
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~~(2)~~(b) Any of the following offenses involving a minor, in the circumstances specified: 1656  
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~~(a)~~(i) A violation of section 2905.01, 2905.02, 2905.03, 2905.04, 2905.05, or 2907.04 of the Revised Code when the victim of the offense is under eighteen years of age; 1658  
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~~(b)~~(ii) A violation of section 2907.21 of the Revised Code when the person who is compelled, induced, procured, encouraged, solicited, requested, or facilitated to engage in, paid or agreed to be paid for, or allowed to engage in the sexual activity in question is under eighteen years of age; 1661  
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~~(c)~~(iii) A violation of division (A)(1) or (3) of section 2907.321 or 2907.322 of the Revised Code; 1666  
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~~(d)~~(iv) A violation of division (A)(1) or (2) of section 2907.323 of the Revised Code; 1668  
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~~(e)~~(v) A violation of division (B)(5) of section 2919.22 of the Revised Code when the child who is involved in the offense is under eighteen years of age. 1670  
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~~(3)(c)~~ Regardless of the age of the victim of the offense, a violation of section 2903.01, 2903.02, 2903.11, or 2905.01 of the Revised Code, or of division (A) of section 2903.04 of the Revised Code, that is committed with a purpose to gratify the sexual needs or desires of the offender or child;

~~(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 violation listed in division (D)(1)(a), (b), (c), (d), (e), (f), or (g) of this section or would be any offense listed in any of those divisions if committed by an adult and that, if committed by an adult, would be aggravated murder, murder, attempted aggravated murder or murder, or a felony of the first, second, third, or fourth degree.

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

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

(2) The person has been adjudicated a delinquent child for committing on or after the effective date of this amendment a sexually oriented offense, was fourteen years of age or older at the time of committing the offense, was classified a juvenile sex offender registrant by the adjudicating juvenile judge or that judge's successor in office based on that adjudication, and is likely to engage in the future in one or more sexually oriented offenses.

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

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

(2) The release is any type of release that is not described in division (F)(1) of this section and that requires the person to report to or be supervised by a probation officer, a parole officer, a field officer, or another type of supervising officer.

(G) An offender or delinquent child is "adjudicated as being a sexual predator" if any of the following applies:

(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. 1734  
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(3) The delinquent child is adjudicated a delinquent child for committing on or after the effective date of this amendment a sexually oriented offense, the delinquent child was fourteen years of age or older at the time of committing the offense, the adjudicating juvenile court judge or that judge's successor in office classifies the delinquent child based on that adjudication a juvenile sex offender registrant, and the adjudicating judge or that judge's successor in office determines pursuant to division (B) of section 2950.09 or pursuant to section 2152.83 or 2152.84 of the Revised Code that the delinquent child is a sexual predator. 1736  
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(4) Prior to January 1, 1997, the offender was convicted of or pleaded guilty to, and was sentenced for, a sexually oriented offense, the offender is imprisoned in a state correctional institution on or after January 1, 1997, and the court determines pursuant to division (C) of section 2950.09 of the Revised Code that the offender is a sexual predator. 1747  
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~~(4)~~(5) Regardless of when the sexually oriented offense was committed, the offender or delinquent child is convicted of or pleads guilty to, ~~or~~ has been convicted of or pleaded guilty to, or is adjudicated a delinquent child for committing a sexually oriented offense in another state or in a federal court, military court, or an Indian tribal court, as a result of that conviction ~~or~~, plea of guilty, or adjudication, the offender or delinquent child is required, under the law of the jurisdiction in which the offender was convicted or pleaded guilty or the delinquent child was adjudicated, to register as a sex offender until the offender's or delinquent child's death and to verify the offender's or delinquent child's address on at least a quarterly basis each year, and, on or after July 1, 1997, for offenders or 1753  
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the effective date of this amendment for delinquent children the 1766  
offender or delinquent child moves to and resides in this state or 1767  
temporarily is domiciled in this state for more than seven days, 1768  
unless a court of common pleas or juvenile court determines that 1769  
the offender or delinquent child is not a sexual predator pursuant 1770  
to division (F) of section 2950.09 of the Revised Code. 1771

(H) "Sexually violent predator specification" and "sexually 1772  
violent offense" have the same meanings as in section 2971.01 of 1773  
the Revised Code. 1774

(I) "Post-release control sanction" and "transitional 1775  
control" have the same meanings as in section 2967.01 of the 1776  
Revised Code. 1777

(J) "Juvenile sex offender registrant" means a person who is 1778  
adjudicated a delinquent child for committing on or after the 1779  
effective date of this amendment a sexually oriented offense, who 1780  
is fourteen years of age or older at the time of committing the 1781  
offense, and who a juvenile court judge, pursuant to an order 1782  
issued under division (A) or (B) of section 2152.82, section 1783  
2152.83, or section 2152.84 of the Revised Code, classifies as a 1784  
juvenile sex offender registrant and specifies has a duty to 1785  
register under section 2950.04 of the Revised Code. 1786

(K) "Secure facility" means any facility that is designed and 1787  
operated to ensure that all of its entrances and exits are locked 1788  
and under the exclusive control of its staff and to ensure that, 1789  
because of that exclusive control, no person who is 1790  
institutionalized or confined in the facility may leave the 1791  
facility without permission or supervision. 1792

**Sec. 2950.02.** (A) The general assembly hereby determines and 1793  
declares that it recognizes and finds all of the following: 1794

(1) If the public is provided adequate notice and information 1795  
about sexual predators, habitual sex offenders, and certain other 1796

offenders and delinquent children who commit sexually oriented 1797  
offenses, members of the public and communities can develop 1798  
constructive plans to prepare themselves and their children for 1799  
the sexual predator's, habitual sex offender's, or other 1800  
offender's or delinquent child's release from imprisonment, a 1801  
prison term, or other confinement or detention. This allows 1802  
members of the public and communities to meet with members of law 1803  
enforcement agencies to prepare and obtain information about the 1804  
rights and responsibilities of the public and the communities and 1805  
to provide education and counseling to their children. 1806

(2) Sexual predators and habitual sex offenders pose a high 1807  
risk of engaging in further offenses even after being released 1808  
from imprisonment, a prison term, or other confinement or 1809  
detention and that protection of members of the public from sexual 1810  
predators and habitual sex offenders is a paramount governmental 1811  
interest. 1812

(3) The penal, juvenile, and mental health components of the 1813  
justice system of this state are largely hidden from public view, 1814  
and a lack of information from ~~either~~ any component may result in 1815  
the failure of ~~both systems~~ the system to satisfy this paramount 1816  
governmental interest of public safety described in division 1817  
(A)(2) of this section. 1818

(4) Overly restrictive confidentiality and liability laws 1819  
governing the release of information about sexual predators and 1820  
habitual sex offenders have reduced the willingness to release 1821  
information that could be appropriately released under the public 1822  
disclosure laws and have increased risks of public safety. 1823

(5) A person who is found to be a sexual predator or a 1824  
habitual sex offender has a reduced expectation of privacy because 1825  
of the public's interest in public safety and in the effective 1826  
operation of government. 1827

(6) The release of information about sexual predators and 1828  
habitual sex offenders to public agencies and the general public 1829  
will further the governmental interests of public safety and 1830  
public scrutiny of the criminal, juvenile, and mental health 1831  
systems as long as the information released is rationally related 1832  
to the furtherance of those goals. 1833

(B) The general assembly hereby declares that, in providing 1834  
in this chapter for registration regarding sexual predators, 1835  
habitual sex offenders, and offenders and certain delinquent 1836  
children who have committed sexually oriented offenses and for 1837  
community notification regarding sexual predators and habitual sex 1838  
offenders who are about to be or have been released from 1839  
imprisonment, a prison term, or other confinement or detention and 1840  
who will live in or near a particular neighborhood or who 1841  
otherwise will live in or near a particular neighborhood, it is 1842  
the general assembly's intent to protect the safety and general 1843  
welfare of the people of this state. The general assembly further 1844  
declares that it is the policy of this state to require the 1845  
exchange in accordance with this chapter of relevant information 1846  
about sexual predators and habitual sex offenders among public 1847  
agencies and officials and to authorize the release in accordance 1848  
with this chapter of necessary and relevant information about 1849  
sexual predators and habitual sex offenders to members of the 1850  
general public as a means of assuring public protection and that 1851  
the exchange or release of that information is not punitive. 1852

**Sec. 2950.03.** (A) Each person who has been convicted of, is 1853  
convicted of, has pleaded guilty to, or pleads guilty to a 1854  
sexually oriented offense and who has a duty to register pursuant 1855  
to section 2950.04 of the Revised Code, and each person who is 1856  
adjudicated a delinquent child for committing on or after the 1857  
effective date of this amendment a sexually oriented offense, who 1858  
is fourteen years of age or older at the time of committing the 1859

offense, and who is classified by the adjudicating juvenile court 1860  
judge pursuant to section 2152.82 of the Revised Code a juvenile 1861  
sex offender registrant based on that adjudication, shall be 1862  
provided notice in accordance with this section of the offender's 1863  
or delinquent child's duty to register under ~~that~~ section 2950.04 1864  
of the Revised Code, the offender's or delinquent child's duty to 1865  
provide notice of any change in the offender's or delinquent 1866  
child's residence address and to register the new residence 1867  
address pursuant to section 2950.05 of the Revised Code, and the 1868  
offender's or delinquent child's duty to periodically verify the 1869  
offender's or delinquent child's residence address pursuant to 1870  
section 2950.06 of the Revised Code. The following official shall 1871  
provide the notice to the offender or delinquent child at the 1872  
following time: 1873

(1) Regardless of when the offender committed the sexually 1874  
oriented offense, if the person is an offender who is sentenced 1875  
for the sexually oriented offense to a prison term, a term of 1876  
imprisonment, or any other type of confinement, and if, on or 1877  
after January 1, 1997, the offender is serving that term or is 1878  
under that confinement, the official in charge of the jail, 1879  
workhouse, state correctional institution, or other institution in 1880  
which the offender serves the prison term, term of imprisonment, 1881  
or confinement, or a designee of that official, shall provide the 1882  
notice to the offender before the offender is released pursuant to 1883  
any type of supervised release or before the offender otherwise is 1884  
released from the prison term, term of imprisonment, or 1885  
confinement. 1886

(2) Regardless of when the offender committed the sexually 1887  
oriented offense, if the person is an offender who is sentenced 1888  
for ~~that~~ the sexually oriented offense on or after January 1, 1889  
1997, and if division (A)(1) of this section does not apply, the 1890  
judge shall provide the notice to the offender at the time of 1891

sentencing. 1892

(3) If the person is an offender who committed the sexually 1893  
oriented offense prior to January 1, 1997, if neither division 1894  
(A)(1) nor division (A)(2) of this section applies, and if, 1895  
immediately prior to January 1, 1997, the offender was a habitual 1896  
sex offender who was required to register under Chapter 2950. of 1897  
the Revised Code, the chief of police or sheriff with whom the 1898  
offender most recently registered under that chapter, in the 1899  
circumstances described in this division, shall provide the notice 1900  
to the offender. If the offender has registered with a chief of 1901  
police or sheriff under Chapter 2950. of the Revised Code as it 1902  
existed prior to January 1, 1997, the chief of police or sheriff 1903  
with whom the offender most recently registered shall provide the 1904  
notice to the offender as soon as possible after January 1, 1997, 1905  
as described in division (B)(1) of this section. If the offender 1906  
has not registered with a chief of police or sheriff under that 1907  
chapter, the failure to register shall constitute a waiver by the 1908  
offender of any right to notice under this section. If an offender 1909  
described in this division does not receive notice under this 1910  
section, the offender is not relieved of the duty to register, the 1911  
duty to provide notice of any change in residence address and to 1912  
register the new residence address, and the duty to periodically 1913  
verify the residence address, as described in division (A) of this 1914  
section. 1915

(4) If the ~~offender~~ person is an offender of the type 1916  
described in division (A)(1) of this section and if, subsequent to 1917  
release, the offender is adjudicated as being a sexual predator 1918  
pursuant to division (C) of section 2950.09 of the Revised Code, 1919  
the judge shall provide the notice to the offender at the time of 1920  
adjudication. 1921

(5) If the person is a delinquent child who is adjudicated a 1922  
delinquent child for committing on or after the effective date of 1923

this amendment a sexually oriented offense, who is fourteen years  
of age or older at the time of committing the offense, and who is  
classified by the adjudicating juvenile court judge pursuant to  
section 2152.82 of the Revised Code a juvenile sex offender  
registrant based on that adjudication, the judge shall provide the  
notice to the delinquent child at the time of the adjudication and  
classification.

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

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

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(b) If the notice is provided to an offender under division (A)(1), (2), or (4) of this section, the official, official's

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designee, or judge shall require the offender to read and sign a 1956  
form prescribed by the bureau of criminal identification and 1957  
investigation, stating that the offender's duties to register, to 1958  
register a new residence address, and to periodically verify a 1959  
residence address have been explained to the offender. If the 1960  
offender is unable to read, the official, official's designee, or 1961  
judge shall certify on the form that the official, designee, or 1962  
judge specifically informed the offender of those duties and that 1963  
the offender indicated an understanding of those duties. 1964

(c) If the notice is provided to a delinquent child under 1965  
division (A)(5) of this section, the judge shall require the 1966  
delinquent child and the delinquent child's parent, guardian, or 1967  
custodian to read and sign a form prescribed by the bureau of 1968  
criminal identification and investigation, stating that the 1969  
delinquent child's duties to register, to register a new residence 1970  
address, and to periodically verify a residence address have been 1971  
explained to the delinquent child and to the delinquent child's 1972  
parent, guardian, or custodian. If the delinquent child or the 1973  
delinquent child's parent, guardian, or custodian is unable to 1974  
read, the judge shall certify on the form that the judge 1975  
specifically informed the delinquent child or the delinquent 1976  
child's parent, guardian, or custodian of those duties and that 1977  
the delinquent child or the delinquent child's parent, guardian, 1978  
or custodian indicated an understanding of those duties. 1979

(d) For any notice provided under division (A) of this 1980  
section, the form used shall contain all of the information 1981  
required by the bureau of criminal identification and 1982  
investigation, including, but not limited to, a statement that the 1983  
subject delinquent child if applicable has been classified by the 1984  
adjudicating juvenile court judge a juvenile sex offender 1985  
registrant and has a duty to register, a statement as to whether 1986  
the offender or delinquent child has been adjudicated as being a 1987



sexual predator relative to the sexually oriented offense in 1988  
question, a statement as to whether the offender or delinquent 1989  
child has been determined to be a habitual sex offender, an 1990  
explanation of the periodic residence address verification process 1991  
and of the frequency with which the offender or delinquent child 1992  
will be required to verify the residence address under that 1993  
process, and a statement that the offender or delinquent child 1994  
must verify the residence address at the times specified under 1995  
that process or face criminal prosecution or a delinquent child 1996  
proceeding. 1997

~~(d)~~(e) If the notice is provided under division (A)(4) of 1998  
this section, in addition to all other information contained on 1999  
it, the form also shall include a statement that the notice 2000  
replaces any notice previously provided to the offender under 2001  
division (A)(1) of this section, a statement that the offender's 2002  
duties described in this notice supersede the duties described in 2003  
the prior notice, and a statement notifying the offender that, if 2004  
the offender already has registered under section 2950.04 of the 2005  
Revised Code, the offender must register again pursuant to 2006  
division (A)(6) of that section. 2007

(f) If the notice is provided under division (A)(5) of this 2008  
section, the form, in addition to all other information contained 2009  
on it, shall inform the delinquent child and the delinquent 2010  
child's parent, guardian, or custodian that, if the delinquent 2011  
child fails to comply with the requirements of sections 2950.04, 2012  
2950.05, and 2950.06 of the Revised Code, all of the following 2013  
apply: 2014

(i) If the delinquent child's failure occurs while the child 2015  
is under eighteen years of age, the child is subject to 2016  
proceedings under Chapter 2152. of the Revised Code based on the 2017  
failure, but if the failure occurs while the child is eighteen 2018  
years of age or older, the child is subject to criminal 2019

prosecution based on the failure. 2020

(ii) If the delinquent child's failure occurs while the child 2021  
is under eighteen years of age, unless the child is emancipated, 2022  
as defined in section 2919.121 of the Revised Code, the failure of 2023  
the parent, guardian, or custodian to ensure that the child 2024  
complies with those requirements is a violation of section 2919.24 2025  
of the Revised Code and may result in the prosecution of the 2026  
parent, guardian, or custodian for that violation. 2027

2028  
(2)(a) After an offender described in division (A)(1), (2), 2029  
or (4) of this section has signed the form described in division 2030  
(B)(1) of this section or the official, official's designee, or 2031  
judge has certified on ~~it~~ the form that ~~it~~ the form has been 2032  
explained to the offender and that the offender indicated an 2033  
understanding of the duties indicated on it, the official, 2034  
official's designee, or judge shall give one copy of the form to 2035  
the offender, within three days shall send one copy of the form to 2036  
the bureau of criminal identification and investigation in 2037  
accordance with the procedures adopted pursuant to section 2950.13 2038  
of the Revised Code, and shall send one copy of the form to the 2039  
sheriff of the county in which the offender expects to reside. 2040  
After 2041

(b) After a chief of police or sheriff has sent a form to an 2042  
offender under division (A)(3) of this section, the chief or 2043  
sheriff shall send a copy of the form to the bureau of criminal 2044  
identification and investigation in accordance with the procedures 2045  
adopted pursuant to section 2950.13 of the Revised Code. 2046

(c) After a delinquent child described in division (A)(5) of 2047  
this section and the delinquent child's parent, guardian, or 2048  
custodian have signed the form described in division (B)(1) of 2049  
this section or the judge has certified on the form that the form 2050  
has been explained to the delinquent child or the delinquent 2051

child's parent, guardian, or custodian and that the delinquent 2052  
child or the delinquent child's parent, guardian, or custodian 2053  
indicated an understanding of the duties and information indicated 2054  
on the form, the judge shall give a copy of the form to both the 2055  
delinquent child and to the delinquent child's parent, guardian, 2056  
or custodian, within three days shall send one copy of the form to 2057  
the bureau of criminal identification and investigation in 2058  
accordance with the procedures adopted pursuant to section 2950.13 2059  
of the Revised Code, and shall send one copy of the form to the 2060  
sheriff of the county in which the delinquent child expects to 2061  
reside. 2062

(C) The official, official's designee, judge, chief of 2063  
police, or sheriff who is required to provide notice to an 2064  
offender or delinquent child under division (A) of this section 2065  
shall do all of the following: 2066

(1) If the notice is provided under division (A)(1), (2), ~~or~~ 2067  
(4), or (5) of this section, the official, designee, or judge 2068  
shall determine the offender's or delinquent child's name, 2069  
identifying factors, and expected future residence address, shall 2070  
obtain the offender's or delinquent child's criminal and 2071  
delinquency history, and shall obtain a photograph and the 2072  
fingerprints of the offender or delinquent child. If the notice is 2073  
provided by a judge under division (A)(2) ~~or~~, (4), or (5) of this 2074  
section, the sheriff shall provide the offender's or delinquent 2075  
child's criminal and delinquency history to the judge. The 2076  
official, official's designee, or judge shall obtain this 2077  
information and these items prior to giving the notice, except 2078  
that a judge may give the notice prior to obtaining the offender's 2079  
or delinquent child's criminal and delinquency history. Within 2080  
three days after receiving this information and these items, the 2081  
official, official's designee, or judge shall forward the 2082  
information and items to the bureau of criminal identification and 2083

investigation in accordance with the forwarding procedures adopted 2084  
pursuant to section 2950.13 of the Revised Code and to the sheriff 2085  
of the county in which the offender or delinquent child expects to 2086  
reside. If the notice is provided under division (A)(5) of this 2087  
section and if the delinquent child has been committed to the 2088  
department of youth services or to a secure facility, the judge, 2089  
in addition to the other information and items described in this 2090  
division, also shall forward to the bureau and to the sheriff 2091  
notification that the child has been so committed. If it has not 2092  
already done so, the bureau of criminal identification and 2093  
investigation shall forward a copy of the fingerprints and 2094  
conviction data received under this division to the federal bureau 2095  
of investigation. 2096

(2) If the notice is provided under division (A)(3) of this 2097  
section, the chief of police or sheriff shall determine the 2098  
offender's name, identifying factors, and residence address, shall 2099  
obtain the offender's criminal history from the bureau of criminal 2100  
identification and investigation, and, to the extent possible, 2101  
shall obtain a photograph and the fingerprints of the offender. 2102  
Within three days after receiving this information and these 2103  
items, the chief or sheriff shall forward the information and 2104  
items to the bureau of criminal identification and investigation 2105  
in accordance with the forwarding procedures adopted pursuant to 2106  
section 2950.13 of the Revised Code and, in relation to a chief of 2107  
police, to the sheriff of the county in which the offender 2108  
resides. If it has not already done so, the bureau of criminal 2109  
identification and investigation shall forward a copy of the 2110  
fingerprints and conviction data so received to the federal bureau 2111  
of investigation. 2112

**Sec. 2950.04.** (A)(1) Each offender who is convicted of or 2113  
pleads guilty to, or has been convicted of or pleaded guilty to, a 2114  
sexually oriented offense and who is described in division 2115

(A)(1)(a), ~~(2)(b)~~, or ~~(3)(c)~~ of this section shall register 2116  
personally with the sheriff of the following applicable described 2117  
county and at the following time: 2118

~~(1)(a)~~ Regardless of when the sexually oriented offense was 2119  
committed, if the offender is sentenced for the sexually oriented 2120  
offense to a prison term, a term of imprisonment, or any other 2121  
type of confinement and if, on or after July 1, 1997, the offender 2122  
is released in any manner from the prison term, term of 2123  
imprisonment, or confinement, within seven days of the offender's 2124  
coming into any county in which the offender resides or 2125  
temporarily is domiciled for more than seven days, the offender 2126  
shall register with the sheriff of that county. 2127

~~(2)(b)~~ Regardless of when the sexually oriented offense was 2128  
committed, if the offender is sentenced for a sexually oriented 2129  
offense on or after July 1, 1997, and if division (A)(1)(a) of 2130  
this section does not apply, within seven days of the offender's 2131  
coming into any county in which the offender resides or 2132  
temporarily is domiciled for more than seven days, the offender 2133  
shall register with the sheriff of that county. 2134

~~(3)(c)~~ If the sexually oriented offense was committed prior 2135  
to July 1, 1997, if neither division (A)(1)(a) nor division 2136  
(A)~~(2)(1)(b)~~ of this section applies, and if, immediately prior to 2137  
July 1, 1997, the offender was a habitual sex offender who was 2138  
required to register under Chapter 2950. of the Revised Code, 2139  
within seven days of the offender's coming into any county in 2140  
which the offender resides or temporarily is domiciled for more 2141  
than seven days, the offender shall register with the sheriff of 2142  
that county. 2143

(2) Each delinquent child who is adjudicated a delinquent 2144  
child for committing on or after the effective date of this 2145  
amendment a sexually oriented offense, who is fourteen years of 2146  
age or older at the time of committing the offense, who is 2147

classified by a juvenile court judge pursuant to an order issued 2148  
under division (A) or (B) of section 2152.82, section 2152.83, or 2149  
section 2152.84 of the Revised Code a juvenile sex offender 2150  
registrant based on that adjudication, and who is described in 2151  
division (A)(2)(a) or (b) of this section shall register 2152  
personally with the sheriff of the following applicable described 2153  
county and at the following time: 2154

(a) If the delinquent child is committed for the sexually 2155  
oriented offense to the department of youth services or to a 2156  
secure facility that is not operated by the department, if, on or 2157  
after the effective date of this amendment, the delinquent child 2158  
is discharged or released in any manner from custody in a 2159  
department of youth services secure facility or from the secure 2160  
facility that is not operated by the department, and if pursuant 2161  
to the discharge or release the delinquent child is not committed 2162  
to any other secure facility of the department or any other secure 2163  
facility, within seven days of the delinquent child's coming into 2164  
any county in which the delinquent child resides or temporarily is 2165  
domiciled for more than seven days, the delinquent child shall 2166  
register with the sheriff of that county. The delinquent child 2167  
does not have a duty to register under this division or division 2168  
(A)(2)(b) of this section while the child is in a department of 2169  
youth services secure facility or in a secure facility that is not 2170  
operated by the department. 2171

(b) If the delinquent child has not been committed as 2172  
described in division (A)(2)(a) of this section, within seven days 2173  
of the delinquent child's coming into any county in which the 2174  
delinquent child resides or temporarily is domiciled for more than 2175  
seven days, the delinquent child shall register with the sheriff 2176  
of that county. 2177

+4)(3) Each offender who is convicted of or pleads guilty to, 2178  
or has been convicted of or pleaded guilty to, a sexually oriented 2179

offense and who is described in division (A)(3)(a) or (b) of this 2180  
section, and each delinquent child who is adjudicated a delinquent 2181  
child for committing a sexually oriented offense and who is 2182  
described in either of those divisions, shall register personally 2183  
with the sheriff of the following applicable described county and 2184  
at the following time: 2185

(a) Regardless of when the sexually oriented offense was 2186  
committed, if divisions (A)(1), ~~(2)~~, and ~~(3)~~(a), (A)(1)(b), 2187  
(A)(1)(c), (A)(2)(a), and (A)(2)(b) of this section do not apply, 2188  
if the offender person is convicted of ~~or~~, pleads guilty to, or is 2189  
adjudicated a delinquent child for committing a sexually oriented 2190  
offense in another state or in a federal court, military court, or 2191  
an Indian tribal court, if, on or after July 1, 1997, for 2192  
offenders or the effective date of this amendment for delinquent 2193  
children the offender or delinquent child moves to and resides in 2194  
this state or temporarily is domiciled in this state for more than 2195  
seven days, and if, at the time the offender or delinquent child 2196  
moves to and resides in this state or temporarily is domiciled in 2197  
this state for more than seven days, the offender or delinquent 2198  
child has a duty to register as a sex offender under the law of 2199  
that other jurisdiction as a result of the conviction ~~or~~, guilty 2200  
plea, or adjudication, within seven days of the offender's or 2201  
delinquent child's coming into any county in which the offender or 2202  
delinquent child resides or temporarily is domiciled for more than 2203  
seven days, the offender or delinquent child shall register with 2204  
the sheriff of that county. 2205

~~(5)~~(b) Regardless of when the sexually oriented offense was 2206  
committed, if divisions (A)(1), ~~(2)~~, and ~~(3)~~(a), (A)(1)(b), 2207  
(A)(1)(c), (A)(2)(a), and (A)(2)(b) of this section do not apply, 2208  
if the offender person is convicted of ~~or~~, pleads guilty to, or is 2209  
adjudicated a delinquent child for committing a sexually oriented 2210  
offense in another state or in a federal court, military court, or 2211

an Indian tribal court, if, on or after July 1, 1997, for 2212  
offenders or the effective date of this amendment for delinquent 2213  
children, the offender or delinquent child is released from 2214  
imprisonment ~~or~~, confinement, or detention imposed for that 2215  
offense, and if, on or after July 1, 1997, for offenders or the 2216  
effective date of this amendment for delinquent children, the 2217  
offender or delinquent child moves to and resides in this state or 2218  
temporarily is domiciled in this state for more than seven days, 2219  
within seven days of the offender's or delinquent child's coming 2220  
into any county in which the offender or delinquent child resides 2221  
or temporarily is domiciled for more than seven days the offender 2222  
or delinquent child shall register with the sheriff of that 2223  
county. The duty to register as described in this division applies 2224  
to an offender regardless of whether the offender, at the time of 2225  
moving to and residing in this state or temporarily being 2226  
domiciled in this state for more than seven days, has a duty to 2227  
register as a sex offender under the law of the jurisdiction in 2228  
which the conviction or guilty plea occurred. The duty to register 2229  
as described in this division applies to a delinquent child only 2230  
if the delinquent child, at the time of moving to and residing in 2231  
this state or temporarily being domiciled in this state for more 2232  
than seven days, has a duty to register as a sex offender under 2233  
the law of the jurisdiction in which the delinquent child 2234  
adjudication occurred or if, had the delinquent child adjudication 2235  
occurred in this state, the adjudicating juvenile court judge 2236  
would have been required to issue an order classifying the 2237  
delinquent child as a juvenile sex offender registrant pursuant to 2238  
division (A) of section 2152.82 of the Revised Code. 2239

~~(6)~~(4) If division (A)(1)(a) of this section applies and if, 2240  
subsequent to the offender's release, the offender is adjudicated 2241  
to be a sexual predator under division (C) of section 2950.09 of 2242  
the Revised Code, the offender shall register within seven days of 2243  
the adjudication with the sheriff of the county in which the 2244



offender resides or temporarily is domiciled for more than seven 2245  
days and shall register with the sheriff of any county in which 2246  
the offender subsequently resides or temporarily is domiciled for 2247  
more than seven days within seven days of coming into that county. 2248

(5) A person who is adjudicated a delinquent child for 2249  
committing a sexually oriented offense is not required to register 2250  
under division (A)(2) of this section unless the delinquent child 2251  
committed the offense on or after the effective date of this 2252  
amendment, was fourteen years of age or older at the time of 2253  
committing the offense, is classified a juvenile sex offender 2254  
registrant by a juvenile court judge pursuant to an order issued 2255  
under division (A) or (B) of section 2152.82, section 2152.83, or 2256  
section 2152.84 of the Revised Code based on that adjudication, 2257  
and has a duty to register pursuant to division (A)(2)(a) or (b) 2258  
of this section. 2259

(B) An offender or delinquent child who is required by 2260  
division (A) of this section to register personally shall obtain 2261  
from the sheriff or from a designee of the sheriff a registration 2262  
form that conforms to division (C) of this section, shall complete 2263  
and sign the form, and shall return the completed form together 2264  
with the offender's or delinquent child's photograph to the 2265  
sheriff or the designee. The sheriff or designee shall sign the 2266  
form and indicate on the form the date on which it is so returned. 2267  
The registration required under this division is complete when the 2268  
offender or delinquent child returns the form, containing the 2269  
requisite information, photograph, signatures, and date, to the 2270  
sheriff or designee. 2271

(C) The registration form to be used under divisions (A) and 2272  
(B) of this section shall contain the current residence address of 2273  
the offender or delinquent child who is registering, the name and 2274  
address of the offender's or delinquent child's employer, if the 2275  
offender or delinquent child is employed at the time of 2276

registration or if the offender or delinquent child knows at the 2277  
time of registration that the offender or delinquent child will be 2278  
commencing employment with that employer subsequent to 2279  
registration, and any other information required by the bureau of 2280  
criminal identification and investigation and shall include the 2281  
offender's or delinquent child's photograph. Additionally, if the 2282  
offender or delinquent child has been adjudicated as being a 2283  
sexual predator relative to the sexually oriented offense in 2284  
question and the court has not subsequently determined pursuant to 2285  
division (D) of section 2950.09, section 2152.83, or section 2286  
2152.84 of the Revised Code that the offender or delinquent child 2287  
no longer is a sexual predator or if the ~~sentencing~~ judge 2288  
determined pursuant to division (C) of section 2950.09, section 2289  
2152.83, or section 2152.84 of the Revised Code that the offender 2290  
or delinquent child is a habitual sex offender, the offender or 2291  
delinquent child shall include on the signed, written registration 2292  
form all of the following information: 2293

(1) A specific declaration that the person has been 2294  
adjudicated as being a sexual predator or has been determined to 2295  
be a habitual sex offender, whichever is applicable; 2296

(2) If the offender or delinquent child has been adjudicated 2297  
as being a sexual predator, the identification license plate 2298  
number of each motor vehicle the offender or delinquent child owns 2299  
and of each motor vehicle registered in the offender's or 2300  
delinquent child's name. 2301

(D) After an offender or delinquent child registers with a 2302  
sheriff pursuant to this section, the sheriff shall forward the 2303  
signed, written registration form and photograph to the bureau of 2304  
criminal identification and investigation in accordance with the 2305  
forwarding procedures adopted pursuant to section 2950.13 of the 2306  
Revised Code. The bureau shall include the information and 2307  
materials forwarded to it under this division in the state 2308

registry of sex offenders established and maintained under section 2309  
2950.13 of the Revised Code. 2310

(E) No person who is required to register pursuant to 2311  
divisions (A) and (B) of this section shall fail to register as 2312  
required in accordance with those divisions or that division. 2313

(F) An offender or delinquent child who is required to 2314  
register pursuant to divisions (A) and (B) of this section shall 2315  
register pursuant to this section for the period of time specified 2316  
in section 2950.07 of the Revised Code. 2317

**Sec. 2950.05.** (A) If an offender or delinquent child is 2318  
required to register pursuant to section 2950.04 of the Revised 2319  
Code, the offender or delinquent child, at least seven days prior 2320  
to changing the offender's or delinquent child's residence address 2321  
during the period during which the offender or delinquent child is 2322  
required to register, shall provide written notice of the 2323  
residence address change to the sheriff with whom the offender or 2324  
delinquent child most recently registered under section 2950.04 of 2325  
the Revised Code or under division (B) of this section. 2326

(B) If an offender or delinquent child is required to provide 2327  
notice of a residence address change under division (A) of this 2328  
section, the offender or delinquent child, at least seven days 2329  
prior to changing the residence address, also shall register the 2330  
new residence address in the manner described in divisions (B) and 2331  
(C) of section 2950.04 of the Revised Code with the sheriff of the 2332  
county in which the offender's or delinquent child's new residence 2333  
address is located, subject to division (C) of this section. 2334

(C) Divisions (A) and (B) of this section apply to a person 2336  
who is required to register pursuant to section 2950.04 of the 2337  
Revised Code regardless of whether the new residence address is in 2338  
this state or in another state. If the new residence address is in 2339

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 pursuant to divisions (B) and (C) of this section shall fail to

register with the appropriate sheriff or official of the other 2372  
state in accordance with those divisions. 2373

(F) An offender or delinquent child who is required to comply 2374  
with divisions (A), (B), and (C) of this section shall do so for 2375  
the period of time specified in section 2950.07 of the Revised 2376  
Code. 2377

**Sec. 2950.06.** (A) An offender or delinquent child who is 2378  
required to register pursuant to section 2950.04 of the Revised 2379  
Code shall periodically verify the offender's or delinquent 2380  
child's current residence address in accordance with this section. 2381  
The frequency of verification shall be determined in accordance 2382  
with division (B) of this section, and the manner of verification 2383  
shall be determined in accordance with division (C) of this 2384  
section. 2385

(B) The frequency with which an offender or delinquent child 2386  
must verify the offender's or delinquent child's current residence 2387  
address pursuant to division (A) of this section shall be 2388  
determined as follows: 2389

(1) Regardless of when the sexually oriented offense for 2390  
which the offender or delinquent child is required to register was 2391  
committed, if the offender or delinquent child has been 2392  
adjudicated as being a sexual predator relative to the sexually 2393  
oriented offense and if the court has not subsequently entered a 2394  
determination pursuant to division (D) of section 2950.09, section 2395  
2152.83, or section 2152.84 of the Revised Code that the offender 2396  
or delinquent child no longer is a sexual predator, the offender 2397  
or delinquent child shall verify the offender's or delinquent 2398  
child's current residence address in accordance with division (C) 2399  
of this section every ninety days after the offender's or 2400  
delinquent child's initial registration date during the period the 2401  
offender or delinquent child is required to register. 2402

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

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

(2) To facilitate the verification of an offender's or delinquent child's current residence address under division (C)(1) of this section, the sheriff with whom the offender or delinquent child most recently registered may mail a nonforwardable verification form prescribed by the bureau of criminal identification and investigation to the offender's or delinquent child's last reported address and to the last reported address of the parents of the delinquent child, with a notice that conspicuously states that the offender or delinquent child must

personally appear before the sheriff or a designee of the sheriff 2435  
to complete the form and the date by which the form must be so 2436  
completed. Regardless of whether a sheriff mails a form to an 2437  
offender or delinquent child and that child's parents, each 2438  
offender or delinquent child who is required to verify the 2439  
offender's or delinquent child's current residence address 2440  
pursuant to division (A) of this section shall personally appear 2441  
before the sheriff or a designee of the sheriff to verify the 2442  
address in accordance with division (C)(1) of this section. 2443

(D) The verification form to be used under division (C) of 2444  
this section shall contain the current residence address of the 2445  
offender or delinquent child, the name and address of the 2446  
offender's or delinquent child's employer if the offender or 2447  
delinquent child is employed at the time of verification or if the 2448  
offender or delinquent child knows at the time of verification 2449  
that the offender or delinquent child will be commencing 2450  
employment with that employer subsequent to verification, and any 2451  
other information required by the bureau of criminal 2452  
identification and investigation. 2453

(E) Upon an offender's or delinquent child's personal 2454  
appearance and completion of a verification form under division 2455  
(C) of this section, a sheriff promptly shall forward a copy of 2456  
the verification form to the bureau of criminal identification and 2457  
investigation in accordance with the forwarding procedures adopted 2458  
by the attorney general pursuant to section 2950.13 of the Revised 2459  
Code. The bureau shall include all information forwarded to it 2460  
under this division in the state registry of sex offenders 2461  
established and maintained under section 2950.13 of the Revised 2462  
Code. 2463

(F) No person who is required to verify a current residence 2464  
address pursuant to divisions (A) to (C) of this section shall 2465  
fail to verify a current residence address in accordance with 2466

those divisions by the date required for the verification as set 2467  
forth in division (B) of this section, provided that no person 2468  
shall be prosecuted or subjected to a delinquent child proceeding 2469  
for a violation of this division, and that no parent, guardian, or 2470  
custodian of a delinquent child shall be prosecuted for a 2471  
violation of section 2919.24 of the Revised Code based on the 2472  
delinquent child's violation of this division, prior to the 2473  
expiration of the period of time specified in division (G) of this 2474  
section. 2475

(G)(1) If an offender or delinquent child fails to verify a 2476  
current residence address as required by divisions (A) to (C) of 2477  
this section by the date required for the verification as set 2478  
forth in division (B) of this section, the sheriff with whom the 2479  
offender or delinquent child is required to verify the current 2480  
residence address, on the day following that date required for the 2481  
verification, shall send a written warning to the offender or to 2482  
the delinquent child and that child's parents, at the offender's 2483  
or delinquent child's and that child's parents last known 2484  
residence address, regarding the offender's or delinquent child's 2485  
duty to verify the offender's or delinquent child's current 2486  
residence address. ~~The~~ 2487

The written warning shall identify do all of the following: 2488

(a) Identify the sheriff who sends it and the date on which 2489  
it is sent ~~and shall state;~~ 2490

(b) State conspicuously that the offender or delinquent child 2491  
has failed to verify the offender's or delinquent child's current 2492  
residence address by the date required for the verification~~;~~ 2493  
2494

(c) Conspicuously state that the offender or delinquent child 2495  
has seven days from the date on which the warning is sent to 2496  
verify the current residence address with the sheriff who sent the 2497



warning; 2498

(d) Conspicuously state that a failure to timely verify the 2499  
current residence address is a felony offense; 2500

(e) Conspicuously state that, if the offender or delinquent 2501  
child verifies the current residence address with that sheriff 2502  
within that seven-day-period, the offender or delinquent child 2503  
will not be prosecuted or subjected to a delinquent child 2504  
proceeding for a failure to timely verify a current residence 2505  
address, and the delinquent child's parent, guardian, or custodian 2506  
will not be prosecuted based on a failure of the delinquent child 2507  
to timely verify an address; 2508

(f) Conspicuously state that, if the offender or delinquent 2509  
child does not verify the current residence address with that 2510  
sheriff within that seven-day-period, the offender or delinquent 2511  
child will be arrested or taken into custody, as appropriate, and 2512  
prosecuted or subjected to a delinquent child proceeding for a 2513  
failure to timely verify a current residence address and the 2514  
delinquent child's parent, guardian, or custodian may be 2515  
prosecuted for a violation of section 2919.24 of the Revised Code 2516  
based on the delinquent child's failure to timely verify a current 2517  
residence address. 2518

(2) If an offender or delinquent child fails to verify a 2519  
current residence address as required by divisions (A) to (C) of 2520  
this section by the date required for the verification as set 2521  
forth in division (B) of this section, the offender or delinquent 2522  
child shall not be prosecuted or subjected to a delinquent child 2523  
proceeding for a violation of division (F) of this section, and 2524  
the delinquent child's parent, guardian, or custodian shall not be 2525  
prosecuted for a violation of section 2919.24 of the Revised Code 2526  
based on the delinquent child's failure to timely verify a current 2527  
residence address, unless the seven-day-period subsequent to that 2528  
date that the offender or delinquent child is provided under 2529

division (G)(1) of this section to verify the current residence 2530  
address has expired and the offender or delinquent child, prior to 2531  
the expiration of that seven-day-period, has not verified the 2532  
current residence address. Upon the expiration of the 2533  
seven-day-period that the offender or delinquent child is provided 2534  
under division (G)(1) of this section to verify the current 2535  
residence address has expired, if the offender or delinquent child 2536  
has not verified the current residence address, all of the 2537  
following apply: 2538

(a) The sheriff with whom the offender or delinquent child is 2539  
required to verify the current residence address promptly shall 2540  
notify the bureau of criminal identification and investigation of 2541  
the failure. 2542

(b) The sheriff with whom the offender or delinquent child is 2543  
required to verify the current residence address, the sheriff of 2544  
the county in which the offender or delinquent child resides, or a 2545  
deputy of the appropriate sheriff, shall locate the offender or 2546  
delinquent child, promptly shall seek a warrant for the arrest or 2547  
taking into custody, as appropriate, of the offender or delinquent 2548  
child for the violation of division (F) of this section and shall 2549  
arrest the offender or take the child into custody, as 2550  
appropriate. 2551

(c) The offender or delinquent child is subject to 2552  
prosecution or a delinquent child proceeding for the violation of 2553  
division (F) of this section, and the delinquent child's parent, 2554  
guardian, or custodian may be subject to prosecution for a 2555  
violation of section 2919.24 of the Revised Code based on the 2556  
delinquent child's violation of that division. 2557

(H) A person who is required to verify the person's current 2558  
residence address pursuant to divisions (A) to (C) of this section 2559  
shall do so for the period of time specified in section 2950.07 of 2560  
the Revised Code. 2561

Sec. 2950.07. (A) The duty of an offender who is convicted of 2562  
or pleads guilty to, or has been convicted of or pleaded guilty 2563  
to, a sexually oriented offense and the duty of a delinquent child 2564  
who is adjudicated a delinquent child for committing a sexually 2565  
oriented offense and who is classified as a juvenile sex offense 2566  
registrant to comply with sections 2950.04, 2950.05, and 2950.06 2567  
of the Revised Code commences on whichever of the following dates 2568  
is applicable: 2569

(1) If the offender's duty to register is imposed pursuant to 2570  
division (A)(1)(a) of section 2950.04 of the Revised Code, the 2571  
offender's duty to comply with those sections commences on the 2572  
date of the offender's release from a prison term, a term of 2573  
imprisonment, or any other type of confinement or on July 1, 1997, 2574  
whichever is later. 2575

(2) If the offender's duty to register is imposed pursuant to 2576  
division (A)~~(2)~~(1)(b) of section 2950.04 of the Revised Code, the 2577  
offender's duty to comply with those sections commences on the 2578  
date of entry of the judgment of conviction of the sexually 2579  
oriented offense or on July 1, 1997, whichever is later. 2580

(3) If the offender's duty to register is imposed pursuant to 2581  
division (A)~~(3)~~(1)(c) of section 2950.04 of the Revised Code, the 2582  
offender's duty to comply with those sections commences fourteen 2583  
days after July 1, 1997. 2584

(4) If the offender's or delinquent child's duty to register 2585  
is imposed pursuant to division (A)~~(4)~~ or (5)(3)(a) or (b) of 2586  
section 2950.04 of the Revised Code, the offender's duty to comply 2587  
with those sections commences on ~~the effective date of this~~ 2588  
amendment March 30, 1999, or on the date that the offender begins 2589  
to reside or becomes temporarily domiciled in this state, 2590  
whichever is later, and the delinquent child's duty commences on 2591  
the effective date of this amendment or on the date the delinquent 2592

child begins to reside or beomes temporarily domiciled in this 2593  
state, whichever is later. 2594

(5) If the delinquent child's duty to register is imposed 2595  
pursuant to division (A)(2)(a) of section 2950.04 of the Revised 2596  
Code, the delinquent child's duty to comply with those sections 2597  
commences on the date of the delinquent child's discharge or 2598  
release from custody in a department of youth services secure 2599  
facility or from a secure facility not operated by the department 2600  
as described in that division. 2601

(6) If the delinquent child's duty to register is imposed 2602  
pursuant to division (A)(2)(b) of section 2950.04 of the Revised 2603  
Code and the delinquent child's classification as a juvenile sex 2604  
offender registrant is made pursuant to section 2152.82 of the 2605  
Revised Code, the delinquent child's duty to comply with those 2606  
sections commences on the date of entry of the order of 2607  
disposition for committing the sexually oriented offense. 2608

(7) If the delinquent child's duty to register is imposed 2609  
pursuant to division (A)(2)(b) of section 2950.04 of the Revised 2610  
Code and the delinquent child's classification as a juvenile sex 2611  
offender registrant is made pursuant to division (B) of section 2612  
2152.83 of the Revised Code, the delinquent child's duty to comply 2613  
with those sections commences on the date of entry of the court's 2614  
order that classifies the delinquent child a juvenile sex offender 2615  
registrant. 2616

(B) The duty of an offender who is convicted of or pleads 2617  
guilty to, or has been convicted of or ~~pleads~~ pleaded guilty to, a 2618  
sexually oriented offense and the duty of a delinquent child who 2619  
is adjudicated a delinquent child for committing a sexually 2620  
oriented offense and who is classified a juvenile sex offender 2621  
registrant to comply with sections 2950.04, 2950.05, and 2950.06 2622  
of the Revised Code continues, after the date of commencement, for 2623  
whichever of the following periods is applicable: 2624

(1) Except as otherwise provided in this division, if the offender or delinquent child has been adjudicated as being a sexual predator relative to the sexually oriented offense, the offender's or delinquent child's duty to comply with those sections continues until the offender's or delinquent child's death. If the judge who sentenced the offender or made the disposition for the delinquent child or that judge's successor in office subsequently enters a determination pursuant to division (D) of section 2950.09 or pursuant to section 2152.83 or 2152.84 of the Revised Code that the offender or delinquent child no longer is a sexual predator, the offender's or delinquent child's duty to comply with those sections continues for the period of time that otherwise would have been applicable to the offender or delinquent child under division (B)(2) or (3) of this section.

(2) If the judge who sentenced the offender or made the disposition for the delinquent child for committing the sexually oriented offense, or the successor in office of the juvenile court judge who made the delinquent child disposition, determined pursuant to division (E) of section 2950.09 or pursuant to section 2152.83 or 2152.84 of the Revised Code that the offender or delinquent child is a habitual sex offender, the offender's or delinquent child's duty to comply with those sections continues for twenty years. If a delinquent child is determined pursuant to division (E) of section 2950.09 or pursuant to section 2152.83 or 2152.84 of the Revised Code to be a habitual sex offender and if the judge who made the disposition for the delinquent child or that judge's successor in office subsequently enters a determination pursuant to section 2152.83 or 2152.84 of the Revised Code that the delinquent child no longer is a habitual sex offender but remains a juvenile sex offender registrant, the delinquent child's duty to comply with those sections continues for the period of time that otherwise would have been applicable

to the delinquent child under division (B)(3) of this section. 2657

(3) If neither division (B)(1) nor (B)(2) of this section 2658  
applies, the offender's or delinquent child's duty to comply with 2659  
those sections continues for ten years. If a delinquent child is 2660  
classified pursuant to section 2152.82 or division (B) of section 2661  
2152.83 of the Revised Code a juvenile sex offender registrant and 2662  
if the judge who made the disposition for the delinquent child or 2663  
that judge's successor in office subsequently enters a 2664  
determination pursuant to section 2152.83 or 2152.84 of the 2665  
Revised Code that the delinquent child no longer is to be 2666  
classified a juvenile sex offender registrant, the delinquent 2667  
child's duty to comply with those sections terminates upon the 2668  
court's entry of the determination. 2669

(C)(1) If an offender has been convicted of or pleaded guilty 2670  
to a sexually oriented offense or a delinquent child has been 2671  
adjudicated a delinquent child for committing on or after the 2672  
effective date of this amendment a sexually oriented offense and 2673  
is classified a juvenile sex offender registrant, and if the 2674  
offender subsequently is convicted of or pleads guilty to another 2675  
sexually oriented offense or the delinquent child subsequently is 2676  
adjudicated a delinquent child for committing another sexually 2677  
oriented offense and is classified a juvenile sex offender 2678  
registrant relative to that offense or subsequently is convicted 2679  
of or pleads guilty to another sexually oriented offense, the 2680  
period of time for which the offender or delinquent child must 2681  
comply with the sections specified in division (A) of this section 2682  
shall be separately calculated pursuant to divisions (A)(1), (2), 2683  
and (3), (4), (5), (6), and (7) of this section for each of the 2684  
sexually oriented offenses, and the separately calculated periods 2685  
of time shall be complied with independently. 2686

If a delinquent child has been adjudicated a delinquent child 2687  
for committing on or after the effective date of this amendment a 2688

sexually oriented offense, is classified a juvenile sex offender 2689  
registrant relative to the offense, and, after attaining eighteen 2690  
years of age, subsequently is convicted of or pleads guilty to 2691  
another sexually oriented offense, the subsequent conviction or 2692  
guilty plea does not limit, affect, or supersede the duties 2693  
imposed upon the delinquent child under this chapter relative to 2694  
the delinquent child's classification as a juvenile sex offender 2695  
registrant, and the delinquent child shall comply with both those 2696  
duties and the duties imposed under this chapter relative to the 2697  
subsequent conviction or guilty plea. 2698

(2) If a delinquent child has been adjudicated a delinquent 2699  
child for committing on or after the effective date of this 2700  
amendment a sexually oriented offense and is classified a juvenile 2701  
sex offender registrant relative to the offense, if the order 2702  
containing the classification also contains a determination by the 2703  
juvenile judge that the delinquent child is a sexual predator or a 2704  
habitual sex offender, and if the juvenile judge or the judge's 2705  
successor in office subsequently determines pursuant to section 2706  
2152.83 or 2152.84 of the Revised Code that the delinquent child 2707  
no longer is a sexual predator or habitual sex offender, the 2708  
judge's subsequent determination does not affect the date of 2709  
commencement of the delinquent child's duty to comply with 2710  
sections 2950.04, 2950.05, and 2950.06 of the Revised Code as 2711  
determined under division (A) of this section. 2712

(D) The duty of an offender or delinquent child to register 2713  
under this chapter is tolled for any period during which the 2714  
offender or delinquent child is returned to confinement in a 2715  
secure facility for any reason or imprisoned for an offense when 2716  
the confinement in a secure facility or imprisonment occurs 2717  
subsequent to the date determined pursuant to division (A) of this 2718  
section. The offender's or delinquent child's duty to register 2719  
under this chapter resumes upon the offender's or delinquent 2720

child's release from confinement in a secure facility or 2721  
imprisonment. 2722

(E) An offender or delinquent child who has been convicted of 2723  
or pleaded guilty to, or has been or is adjudicated a delinquent 2724  
child for committing, a sexually oriented offense in another state 2725  
or in a federal court, military court, or an Indian tribal court 2726  
may apply to the sheriff of the county in which the offender or 2727  
delinquent child resides or temporarily is domiciled for credit 2728  
against the duty to register for the time that the offender or 2729  
delinquent child has complied with the sex offender registration 2730  
requirements of another jurisdiction. The sheriff shall grant the 2731  
offender or delinquent child credit against the duty to register 2732  
for time for which the offender or delinquent child provides 2733  
adequate proof that the offender or delinquent child has complied 2734  
with the sex offender registration requirements of another 2735  
jurisdiction. If the offender or delinquent child disagrees with 2736  
the determination of the sheriff, the offender or delinquent child 2737  
may appeal the determination to the court of common pleas of the 2738  
county in which the offender or delinquent child resides or is 2739  
temporarily domiciled. 2740

**Sec. 2950.081.** Any statements, information, photographs, or 2741  
fingerprints that section 2950.04, 2950.05, or 2950.06 of the 2742  
Revised Code requires a person to provide, that are provided by a 2743  
person who registers, who provides notice of a change of residence 2744  
address and registers the new residence address, or who provides 2745  
verification of a current residence address pursuant to any 2746  
provision of those sections, and that are in the possession of a 2747  
county sheriff are public records open to public inspection under 2748  
section 149.43 of the Revised Code. 2749

**Sec. 2950.09.** (A) If a person is convicted of or pleads 2750  
guilty to committing, on or after January 1, 1997, a sexually 2751



oriented offense that is a sexually violent offense and also is 2752  
convicted of or pleads guilty to a sexually violent predator 2753  
specification that was included in the indictment, count in the 2754  
indictment, or information charging the sexually violent offense, 2755  
the conviction of plea of guilty to the specification 2756  
automatically classifies the offender as a sexual predator for 2757  
purposes of this chapter. If a person is convicted of ~~or~~, pleads 2758  
guilty to, or is adjudicated a delinquent child for committing, a 2759  
sexually oriented offense in another state, or in a federal court, 2760  
military court, or an Indian tribal court and if, as a result of 2761  
that conviction ~~or~~, plea of guilty, or adjudication, the person is 2762  
required, under the law of the jurisdiction in which the person 2763  
was convicted ~~or~~, pleaded guilty, or was adjudicated, to register 2764  
as a sex offender until the person's death and is required to 2765  
verify the person's address on at least a quarterly basis each 2766  
year, that conviction ~~or~~, plea of guilty, or adjudication 2767  
automatically classifies the ~~offender~~ person as a sexual predator 2768  
for the purposes of this chapter, but the ~~offender~~ person may 2769  
challenge that classification pursuant to division (F) of this 2770  
section. In all other cases, a person who is convicted of or 2771  
pleads guilty to, ~~or~~ has been convicted of or pleaded guilty to, 2772  
or is adjudicated a delinquent child for committing, a sexually 2773  
oriented offense may be classified as a sexual predator for 2774  
purposes of this chapter only in accordance with division (B) or 2775  
(C) of this section or, regarding delinquent children, section 2776  
2152.83 of the Revised Code. 2777

(B)(1) The judge who is to impose sentence on a person who is 2778  
convicted of or pleads guilty to a sexually oriented offense or 2779  
who is to impose an order of disposition upon a child who is 2780  
adjudicated a delinquent child for committing on or after the 2781  
effective date of this amendment a sexually oriented offense shall 2782  
conduct a hearing to determine whether the offender is a sexual 2783  
predator if any of the following circumstances apply: 2784

(a) Regardless of when the sexually oriented offense was 2785  
committed, if a person ~~the offender~~ is to be sentenced on or after 2786  
January 1, 1997, for a sexually oriented offense that is not a 2787  
sexually violent offense, ~~or if a person.~~ 2788

(b) Regardless of when the sexually oriented offense was 2789  
committed, the offender is to be sentenced on or after January 1, 2790  
1997, for a sexually oriented offense that is a sexually violent 2791  
offense and a sexually violent predator specification was not 2792  
included in the indictment, count in the indictment, or 2793  
information charging the sexually violent offense, ~~the judge who~~ 2794  
~~is to impose sentence upon the offender shall conduct a hearing to~~ 2795  
~~determine whether the offender is a sexual predator. The judge.~~ 2796

(c) The delinquent child was adjudicated a delinquent child 2797  
for committing on or after the effective date of this amendment a 2798  
sexually oriented offense, the delinquent child was fourteen years 2799  
of age or older at the time of committing the offense, and the 2800  
adjudicating judge has classified the delinquent child under 2801  
section 2152.82 of the Revised Code based on that adjudication a 2802  
juvenile sex offender registrant. A judge shall not conduct a 2803  
hearing under division (B) of this section regarding a delinquent 2804  
child unless the delinquent child is in the category of delinquent 2805  
children described in this division. 2806

(2) The judge shall conduct the hearing required under 2807  
division (B)(1) of this section prior to sentencing ~~and, if or~~ 2808  
making an order of disposition. If the sexually oriented offense 2809  
is a felony, ~~and if the hearing is being conducted under division~~ 2810  
(B)(1)(a) or (b) of this section, the judge may conduct it as part 2811  
of the sentencing hearing required by section 2929.19 of the 2812  
Revised Code. The court shall give the offender or delinquent 2813  
child and the prosecutor who prosecuted the offender or handled 2814  
the case against the delinquent child for the sexually oriented 2815  
offense notice of the date, time, and location of the hearing. At 2816

the hearing, the offender or delinquent child and the prosecutor 2817  
shall have an opportunity to testify, present evidence, call and 2818  
examine witnesses and expert witnesses, and cross-examine 2819  
witnesses and expert witnesses regarding the determination as to 2820  
whether the offender or delinquent child is a sexual predator. The 2821  
offender or delinquent child shall have the right to be 2822  
represented by counsel and, if indigent, the right to have counsel 2823  
appointed to represent the offender or delinquent child. 2824

~~(2)~~(3) In making a determination under divisions (B)(1) and 2825  
~~(3)~~(4) of this section as to whether an offender or delinquent 2826  
child is a sexual predator, the judge shall consider all relevant 2827  
factors, including, but not limited to, all of the following: 2828

(a) The offender's or delinquent child's age; 2829

(b) The offender's or delinquent child's prior criminal or 2830  
delinquency record regarding all offenses, including, but not 2831  
limited to, all sexual offenses; 2832

(c) The age of the victim of the sexually oriented offense 2833  
for which sentence is to be imposed or the order of disposition is 2834  
to be made; 2835

(d) Whether the sexually oriented offense for which sentence 2836  
is to be imposed or the order of disposition is to be made 2837  
involved multiple victims; 2838

(e) Whether the offender or delinquent child used drugs or 2839  
alcohol to impair the victim of the sexually oriented offense or 2840  
to prevent the victim from resisting; 2841

(f) If the offender or delinquent child previously has been 2842  
convicted of or pleaded guilty to ~~any~~, or been adjudicated a 2843  
delinquent child for committing an act that if committed by an 2844  
adult would be, a criminal offense, whether the offender or 2845  
delinquent child completed any sentence or dispositional order 2846  
imposed for the prior offense or act and, if the prior offense or 2847

act was a sex offense or a sexually oriented offense, whether the 2848  
offender or delinquent child participated in available programs 2849  
for sexual offenders; 2850

(g) Any mental illness or mental disability of the offender 2851  
or delinquent child; 2852

(h) The nature of the offender's or delinquent child's sexual 2853  
conduct, sexual contact, or interaction in a sexual context with 2854  
the victim of the sexually oriented offense and whether the sexual 2855  
conduct, sexual contact, or interaction in a sexual context was 2856  
part of a demonstrated pattern of abuse; 2857

(i) Whether the offender or delinquent child, during the 2858  
commission of the sexually oriented offense for which sentence is 2859  
to be imposed or the order of disposition is to be made, displayed 2860  
cruelty or made one or more threats of cruelty; 2861

(j) Any additional behavioral characteristics that contribute 2862  
to the offender's or delinquent child's conduct. 2863

~~(3)~~(4) After reviewing all testimony and evidence presented 2864  
at the hearing conducted under division (B)(1) of this section and 2865  
the factors specified in division (B)~~(2)~~(3) of this section, the 2866  
~~judge~~ court shall determine by clear and convincing evidence 2867  
whether the subject offender or delinquent child is a sexual 2868  
predator. If the ~~judge~~ court determines that the subject offender 2869  
or delinquent child is not a sexual predator, the ~~judge~~ court 2870  
shall specify in the offender's sentence and the judgment of 2871  
conviction that contains the sentence or in the delinquent child's 2872  
dispositional order, as appropriate, that the ~~judge~~ court has 2873  
determined that the offender or delinquent child is not a sexual 2874  
predator. If the ~~judge~~ court determines by clear and convincing 2875  
evidence that the subject offender or delinquent child is a sexual 2876  
predator, the ~~judge~~ court shall specify in the offender's sentence 2877  
and the judgment of conviction that contains the sentence or in 2878  
the delinquent child's dispositional order, as appropriate, that 2879

the ~~judge~~ court has determined that the offender or delinquent 2880  
child is a sexual predator and shall specify that the 2881  
determination was pursuant to division (B) of this section. The 2882  
offender or delinquent child and the prosecutor who prosecuted the 2883  
offender or handled the case against the delinquent child for the 2884  
sexually oriented offense in question may appeal as a matter of 2885  
right the ~~judge's~~ court's determination under this division as to 2886  
whether the offender or delinquent child is, or is not, a sexual 2887  
predator. 2888

~~(4)~~(5) A hearing shall not be conducted under division (B) of 2889  
this section regarding an offender if the sexually oriented 2890  
offense in question is a sexually violent offense and the 2891  
indictment, count in the indictment, or information charging the 2892  
offense also included a sexually violent predator specification. 2893

(C)(1) If a person was convicted of or pleaded guilty to a 2894  
sexually oriented offense prior to January 1, 1997, if the person 2895  
was not sentenced for the offense on or after January 1, 1997, and 2896  
if, on or after January 1, 1997, the offender is serving a term of 2897  
imprisonment in a state correctional institution, the department 2898  
of rehabilitation and correction shall determine whether to 2899  
recommend that the offender be adjudicated as being a sexual 2900  
predator. In making a determination under this division as to 2901  
whether to recommend that the offender be adjudicated as being a 2902  
sexual predator, the department shall consider all relevant 2903  
factors, including, but not limited to, all of the factors 2904  
specified in division (B)(2) of this section. If the department 2905  
determines that it will recommend that the offender be adjudicated 2906  
as being a sexual predator, it immediately shall send the 2907  
recommendation to the court that sentenced the offender and shall 2908  
enter its determination and recommendation in the offender's 2909  
institutional record, and the court shall proceed in accordance 2910  
with division (C)(2) of this section. 2911

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

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

the community notification provisions as described in this 2944  
division, or may conduct a hearing solely to make the latter 2945  
determination. The court shall include in the offender's 2946  
institutional record any determination made under this division as 2947  
to whether the offender previously has been convicted of or 2948  
pleaded guilty to a sexually oriented offense, and, as such, 2949  
whether the offender is a habitual sex offender. 2950

(b) If the court schedules a hearing under division (C)(2)(a) 2951  
of this section, the court shall give the offender and the 2952  
prosecutor who prosecuted the offender for the sexually oriented 2953  
offense, or that prosecutor's successor in office, notice of the 2954  
date, time, and place of the hearing. If the hearing is to 2955  
determine whether the offender is a sexual predator, it shall be 2956  
conducted in the manner described in division (B)(1) of this 2957  
section regarding hearings conducted under that division and, in 2958  
making a determination under this division as to whether the 2959  
offender is a sexual predator, the court shall consider all 2960  
relevant factors, including, but not limited to, all of the 2961  
factors specified in division (B)(2) of this section. After 2962  
reviewing all testimony and evidence presented at the sexual 2963  
predator hearing and the factors specified in division (B)(2) of 2964  
this section, the court shall determine by clear and convincing 2965  
evidence whether the offender is a sexual predator. If the court 2966  
determines that the offender is not a sexual predator, it also 2967  
shall determine whether the offender previously has been convicted 2968  
of or pleaded guilty to a sexually oriented offense other than the 2969  
offense in relation to which the hearing is being conducted. 2970

Upon making its determinations at the hearing, the court 2971  
shall proceed as follows: 2972

(i) If the hearing is to determine whether the offender is a 2973  
sexual predator, and if the court determines that the offender is 2974  
not a sexual predator and that the offender previously has not 2975

been convicted of or pleaded guilty to a sexually oriented offense 2976  
other than the offense in relation to which the hearing is being 2977  
conducted, it shall include its determinations in the offender's 2978  
institutional record. 2979

(ii) If the hearing is to determine whether the offender is a 2980  
sexual predator, and if the court determines that the offender is 2981  
not a sexual predator but that the offender previously has been 2982  
convicted of or pleaded guilty to a sexually oriented offense 2983  
other than the offense in relation to which the hearing is being 2984  
conducted, it shall include its determination that the offender is 2985  
not a sexual predator but is a habitual sex offender in the 2986  
offender's institutional record, shall attach the determinations 2987  
to the offender's sentence, shall specify that the determinations 2988  
were pursuant to division (C) of this section, shall provide a 2989  
copy of the determinations to the offender, to the prosecuting 2990  
attorney, and to the department of rehabilitation and correction, 2991  
and may impose a requirement that the offender be subject to the 2992  
community notification provisions regarding the offender's place 2993  
of residence that are contained in sections 2950.10 and 2950.11 of 2994  
the Revised Code. The offender shall not be subject to those 2995  
community notification provisions relative to the sexually 2996  
oriented offense in question if the court does not so impose the 2997  
requirement described in this division. If the court imposes those 2998  
community notification provisions, the offender may appeal the 2999  
judge's determination that the offender is a habitual sex 3000  
offender. 3001

(iii) If the hearing is to determine whether the offender 3002  
previously has been convicted of or pleaded guilty to a sexually 3003  
oriented offense other than the offense in relation to which the 3004  
hearing is being conducted and whether to impose a requirement 3005  
that the offender be subject to the specified community 3006  
notification provisions, and if the court determines that the 3007



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.

(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)

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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. A person who has been adjudicated a delinquent  
child for committing a sexually oriented offense and who has been  
classified by a juvenile court judge a juvenile sex offender  
registrant or, if applicable, additionally has been determined by  
a juvenile court judge to be a sexual predator or habitual sex  
offender, may petition the adjudicating court for a  
reclassification or declassification pursuant to section 2152.84  
of the Revised Code.

Upon the expiration of the applicable period of time  
specified in division (D)(1)(a) or (b) of this section, an  
offender who has been convicted of or pleaded guilty to a sexually  
oriented offense and who has been adjudicated as being a sexual  
predator relative to the sexually oriented offense in the manner  
described in division (B) or (C) of this section may petition the  
judge who made the determination that the offender was a sexual  
predator, or that judge's successor in office, to enter a  
determination that the offender no longer is a sexual predator.  
Upon the filing of the petition, the judge may review the prior  
sexual predator determination that comprises the sexually violent  
predator adjudication, and, upon consideration of all relevant  
evidence and information, including, but not limited to, the  
factors set forth in division (B)~~(2)~~(3) of this section, either  
shall enter a determination that the offender no longer is a  
sexual predator or shall enter an order denying the petition. The

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~~court~~ judge shall not enter a determination under this division 3072  
that the offender no longer is a sexual predator unless the ~~court~~ 3073  
judge determines by clear and convincing evidence that the 3074  
offender is unlikely to commit a sexually oriented offense in the 3075  
future. If the judge enters a determination under this division 3076  
that the offender no longer is a sexual predator, the judge shall 3077  
notify the bureau of criminal identification and investigation and 3078  
the parole board of the determination. Upon receipt of the 3079  
notification, the bureau promptly shall notify the sheriff with 3080  
whom the offender most recently registered under section 2950.04 3081  
or 2950.05 of the Revised Code of the determination that the 3082  
offender no longer is a sexual predator. If the judge enters an 3083  
order denying the petition, the prior adjudication of the offender 3084  
as a sexual predator shall remain in effect. An offender 3085  
determined to be a sexual predator in the manner described in 3086  
division (B) or (C) of this section may file a petition under this 3087  
division after the expiration of the following periods of time: 3088

(a) Regardless of when the sexually oriented offense was 3089  
committed, if, on or after January 1, 1997, the offender is 3090  
imprisoned or sentenced to a prison term or other confinement for 3091  
the sexually oriented offense in relation to which the 3092  
determination was made, the offender initially may file the 3093  
petition not earlier than one year prior to the offender's release 3094  
from the imprisonment, prison term, or other confinement by 3095  
discharge, parole, judicial release, or any other final release. 3096  
If the offender is sentenced on or after January 1, 1997, for the 3097  
sexually oriented offense in relation to which the determination 3098  
is made and is not imprisoned or sentenced to a prison term or 3099  
other confinement for the sexually oriented offense, the offender 3100  
initially may file the petition upon the expiration of one year 3101  
after the entry of the offender's judgment of conviction. 3102

(b) After the offender's initial filing of a petition under 3103

division (D)(1)(a) of this section, thereafter, an offender may  
file a petition under this division upon the expiration of five  
years after the court has entered an order denying the petition  
under division (D)(1)(a) of this section or the most recent  
petition the offender has filed under this division.

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

(E) If a person is convicted of or pleads guilty to  
committing, on or after January 1, 1997, a sexually oriented

offense, the judge who is to impose sentence on the offender shall 3136  
determine, prior to sentencing, whether the offender previously 3137  
has been convicted of or pleaded guilty to a sexually oriented 3138  
offense. If a person is adjudicated a delinquent child for 3139  
committing on or after the effective date of this amendment a 3140  
sexually oriented offense, if the delinquent child was fourteen 3141  
years of age or older at the time of committing the offense, and 3142  
if the adjudicating judge has classified the delinquent child 3143  
under section 2152.82 of the Revised Code based on that 3144  
adjudication a juvenile sex offender registrant, the adjudicating 3145  
judge shall determine, prior to entering the order of disposition, 3146  
whether the delinquent child previously has been adjudicated a 3147  
delinquent child for committing a sexually oriented offense. If 3148  
the judge determines that the offender previously has not been 3149  
convicted of or pleaded guilty to a sexually oriented offense or 3150  
that the delinquent child previously has not been adjudicated a 3151  
delinquent child for committing a sexually oriented offense, the 3152  
judge shall specify in the offender's sentence or in the 3153  
delinquent child's dispositional order that the judge has 3154  
determined that the offender or delinquent child is not a habitual 3155  
sex offender. If the judge determines that the offender previously 3156  
has been convicted of or pleaded guilty to a sexually oriented 3157  
offense or that the delinquent child previously has been 3158  
adjudicated a delinquent child for committing a sexually oriented 3159  
offense, the judge shall specify in the offender's sentence and 3160  
the judgment of conviction that contains the sentence or in the 3161  
delinquent child's dispositional order that the judge has 3162  
determined that the offender or delinquent child is a habitual sex 3163  
offender and may impose a requirement in that sentence and 3164  
judgment of conviction or in that dispositional order that the 3165  
offender or delinquent child be subject to the community 3166  
notification provisions regarding the offender's or delinquent 3167  
child's place of residence that are contained in sections 2950.10 3168

and 2950.11 of the Revised Code. Unless the habitual sex offender 3169  
also has been adjudicated as being a sexual predator relative to 3170  
the sexually oriented offense in question, the offender or 3171  
delinquent child shall ~~not~~ be subject to those community 3172  
notification provisions only if the court ~~does not impose~~ imposes 3173  
the requirement described in this division in the offender's 3174  
sentence and the judgment of conviction or in the delinquent 3175  
child's dispositional order. This division does not apply 3176  
regarding a delinquent child unless the delinquent child was 3177  
fourteen years of age or older at the time of committing the 3178  
sexually oriented offense and the adjudicating judge has 3179  
classified the delinquent child under section 2152.82 of the 3180  
Revised Code based on that adjudication a juvenile sex offender 3181  
registrant, or unless section 2152.83 or 2152.84 of the Revised 3182  
Code authorizes or requires a juvenile court judge to make a 3183  
determination under this division regarding the delinquent child. 3184

(F)(1) An offender or delinquent child classified as a sexual 3185  
predator may petition the court of common pleas or, for a 3186  
delinquent child, the juvenile court of the county in which the 3187  
offender or delinquent child resides or temporarily is domiciled 3188  
to enter a determination that the offender or delinquent child is 3189  
not an adjudicated sexual predator in this state for purposes of 3190  
the sex offender registration requirements of this chapter or the 3191  
community notification provisions contained in sections 2950.10 3192  
and 2950.11 of the Revised Code if all of the following apply: 3193

(a) The offender or delinquent child was convicted of ~~or,~~ 3194  
pleaded guilty to, or was adjudicated a delinquent child for 3195  
committing, a sexually oriented offense in another state or in a 3196  
federal court, a military court, or an Indian tribal court. 3197

(b) As a result of the conviction ~~or,~~ plea of guilty, or 3198  
adjudication described in division (F)(1)(a) of this section, the 3199  
offender or delinquent child is required under the law of the 3200

jurisdiction under which the offender or delinquent child was 3201  
convicted or, pleaded guilty, or was adjudicated to register as a 3202  
sex offender until the offender's or delinquent child's death and 3203  
is required to verify the offender's or delinquent child's address 3204  
on at least a quarterly basis each year. 3205

(c) The offender or delinquent child was automatically 3206  
classified as a sexual predator under division (A) of this section 3207  
in relation to the conviction or, guilty plea, or adjudication 3208  
described in division (F)(1)(a) of this section. 3209

(2) The court may enter a determination that the offender or 3210  
delinquent child filing the petition described in division (F)(1) 3211  
of this section is not an adjudicated sexual predator in this 3212  
state for purposes of the sex offender registration requirements 3213  
of this chapter or the community notification provisions contained 3214  
in sections 2950.10 and 2950.11 of the Revised Code only if the 3215  
offender or delinquent child proves by clear and convincing 3216  
evidence that the requirement of the other jurisdiction that the 3217  
offender or delinquent child register as a sex offender until the 3218  
offender's or delinquent child's death and the requirement that 3219  
the offender or delinquent child verify the offender's or 3220  
delinquent child's address on at least a quarterly basis each year 3221  
is not substantially similar to a classification as a sexual 3222  
predator for purposes of this chapter. 3223

**Sec. 2950.10.** (A)(1) If a person is convicted of or pleads 3224  
guilty to, or has been convicted of or pleaded guilty to, a 3225  
sexually oriented offense or a person is adjudicated a delinquent 3226  
child for committing on or after the effective date of this 3227  
amendment a sexually oriented offense, was fourteen years of age 3228  
or older at the time of committing the sexually oriented offense, 3229  
and is classified a juvenile sex offender registrant by a juvenile 3230  
court judge based on that adjudication, if the offender or 3231  
delinquent child has been adjudicated as being a sexual predator 3232

relative to the sexually oriented offense, and the court has not 3233  
subsequently determined pursuant to division (D) of section 3234  
2950.09, section 2152.83, or section 2152.84 of the Revised Code 3235  
that the offender or delinquent child no longer is a sexual 3236  
predator or the offender or delinquent child has been determined 3237  
pursuant to division (C)(2) or (E) of section 2950.09, section 3238  
2152.83, or section 2152.84 of the Revised Code to be a habitual 3239  
sex offender and, the court has imposed a requirement under that 3240  
division or section subjecting the habitual sex offender to this 3241  
section, and the determination has not been removed pursuant to 3242  
section 2152.83 or 2152.84 of the Revised Code, if the offender or 3243  
delinquent child registers with a sheriff pursuant to section 3244  
2950.04 or 2950.05 of the Revised Code, and if the victim of the 3245  
sexually oriented offense has made a request in accordance with 3246  
rules adopted by the attorney general that specifies that the 3247  
victim would like to be provided the notices described in this 3248  
section, the sheriff shall notify the victim of the sexually 3249  
oriented offense, in writing, that the offender or delinquent 3250  
child has registered and shall include in the notice the 3251  
offender's or delinquent child's name and residence address or 3252  
addresses. The sheriff shall provide the notice required by this 3253  
division to the victim at the most recent residence address 3254  
available for that victim, not later than seventy-two hours after 3255  
the offender or delinquent child registers with the sheriff. 3256

(2) If a person is convicted of or pleads guilty to, or has 3257  
been convicted of or pleaded guilty to, a sexually oriented 3258  
offense or a person is adjudicated a delinquent child for 3259  
committing on or after the effective date of this amendment a 3260  
sexually oriented offense, was fourteen years of age or older at 3261  
the time of committing the sexually oriented offense, and is 3262  
classified a juvenile sex offender registrant by a juvenile court 3263  
judge based on that adjudication, if the offender or delinquent 3264



child has been adjudicated as being a sexual predator relative to 3265  
the sexually oriented offense or sexually violent offense and the 3266  
court has not subsequently determined pursuant to division (D) of 3267  
section 2950.09, section 2152.83, or section 2152.84 of the 3268  
Revised Code that the offender or delinquent child no longer is a 3269  
sexual predator or the offender or delinquent child has been 3270  
determined pursuant to division (E) of section 2950.09, section 3271  
2152.83, or section 2152.84 of the Revised Code to be a habitual 3272  
sex offender and, the court has imposed a requirement under that 3273  
division or section subjecting the habitual sex offender to this 3274  
section, and the determination has not been removed pursuant to 3275  
section 2152.83 or 2152.84 of the Revised Code, if the offender or 3276  
delinquent child registers with a sheriff pursuant to section 3277  
2950.04 or 2950.05 of the Revised Code, if the victim of the 3278  
sexually oriented offense has made a request in accordance with 3279  
rules adopted by the attorney general that specifies that the 3280  
victim would like to be provided the notices described in this 3281  
section, and if the offender or delinquent child notifies the 3282  
sheriff of a change of residence address pursuant to section 3283  
2950.05 of the Revised Code, the sheriff shall notify the victim 3284  
of the sexually oriented offense, in writing, that the offender's 3285  
or delinquent child's residence address has changed and shall 3286  
include in the notice the offender's or delinquent child's name 3287  
and new residence address or addresses. The sheriff shall provide 3288  
the notice required by this division to the victim at the most 3289  
recent residence address available for that victim, no later than 3290  
seventy-two hours after the offender or delinquent child notifies 3291  
the sheriff of the change in the offender's or delinquent child's 3292  
residence address. 3293

(3) If ~~an offender~~ a person is convicted of or pleads guilty 3294  
to, or has been convicted of or pleaded guilty to, a sexually 3295  
oriented offense or a person is adjudicated a delinquent child for 3296  
committing on or after the effective date of this amendment a 3297

sexually oriented offense, was fourteen years of age or older at 3298  
the time of committing the sexually oriented offense, and is 3299  
classified a juvenile sex offender registrant by a juvenile court 3300  
judge based on that adjudication, and if the offender or 3301  
delinquent child is adjudicated as being a sexual predator 3302  
relative to the sexually oriented offense or the offender or 3303  
delinquent child is determined pursuant to division (E) of section 3304  
2950.09, section 2152.83, or section 2152.84 of the Revised Code 3305  
to be a habitual sex offender and is made subject to this section, 3306  
the victim of the offense may make a request in accordance with 3307  
rules adopted by the attorney general pursuant to section 2950.13 3308  
of the Revised Code that specifies that the victim would like to 3309  
be provided the notices described in divisions (A)(1) and (2) of 3310  
this section. If the victim makes a request in accordance with 3311  
those rules, the sheriff described in divisions (A)(1) and (2) of 3312  
this section shall provide the victim with the notices described 3313  
in those divisions. 3314

(4) If a victim makes a request as described in division 3315  
(A)(3) of this section that specifies that the victim would like 3316  
to be provided the notices described in divisions (A)(1) and (2) 3317  
of this section, all information a sheriff obtains regarding the 3318  
victim from or as a result of the request is confidential, and the 3319  
information is not a public record open for inspection under 3320  
section 149.43 of the Revised Code. 3321

(5) The notices described in divisions (A)(1) and (2) of this 3322  
section are in addition to any notices regarding the offender or 3323  
delinquent child that the victim is entitled to receive under 3324  
Chapter 2930. of the Revised Code. 3325

(B) A victim of a sexually oriented offense is not entitled 3326  
to be provided any notice described in division (A)(1) or (2) of 3327  
this section unless the offender or delinquent child is 3328  
adjudicated as being a sexual predator relative to the sexually 3329

oriented offense and the court has not subsequently determined 3330  
pursuant to division ~~(E)~~(D) of section 2950.09, section 2152.83, 3331  
or section 2152.84 of the Revised Code that the offender or 3332  
delinquent child no longer is a sexual predator or the offender or 3333  
delinquent child has been determined pursuant to division (E) of 3334  
section 2950.09, section 2152.83, or section 2152.84 of the 3335  
Revised Code to be a habitual sex offender ~~and,~~ the court has 3336  
imposed a requirement under that division or section subjecting 3337  
the habitual sex offender to this section, and the determination 3338  
has not been removed pursuant to section 2152.83 or 2152.84 of the 3339  
Revised Code. A victim of a sexually oriented offense is not 3340  
entitled to any notice described in division (A)(1) or (2) of this 3341  
section unless the victim makes a request in accordance with rules 3342  
adopted by the attorney general pursuant to section 2950.13 of the 3343  
Revised Code that specifies that the victim would like to be 3344  
provided the notices described in divisions (A)(1) and (2) of this 3345  
section. This division does not affect any rights of a victim of a 3346  
sexually oriented offense to be provided notice regarding an 3347  
offender or delinquent child that are described in Chapter ~~2950-~~ 3348  
~~2930.~~ of the Revised Code. 3349

**Sec. 2950.11.** (A) As used in this section, "specified 3350  
geographical notification area" means the geographic area or areas 3351  
within which the attorney general, by rule adopted under section 3352  
2950.13 of the Revised Code, requires the notice described in 3353  
division (B) of this section to be given to the persons identified 3354  
in divisions (A)(2) to (8) of this section. If a person is 3355  
convicted of or pleads guilty to, or has been convicted of or 3356  
pleaded guilty to, a sexually oriented offense or a person is 3357  
adjudicated a delinquent child for committing on or after the 3358  
effective date of this amendment a sexually oriented offense, was 3359  
fourteen years of age or older at the time of committing the 3360  
sexually oriented offense, and is classified a juvenile sex 3361

offender registrant by a juvenile court judge based on that 3362  
adjudication, and if the offender or delinquent child has been 3363  
adjudicated as being a sexual predator relative to the sexually 3364  
oriented offense and the court has not subsequently determined 3365  
pursuant to division (D) of section 2950.09, section 2152.83, or 3366  
section 2152.84 of the Revised Code that the offender or 3367  
delinquent child no longer is a sexual predator or the offender or 3368  
delinquent child has been determined pursuant to division (C)(2) 3369  
or (E) of section 2950.09, section 2152.83, or section 2152.84 of 3370  
the Revised Code to be a habitual sex offender and, the court has 3371  
imposed a requirement under that division or section subjecting 3372  
the habitual sex offender to this section, and the determination 3373  
has not been removed pursuant to section 2152.83 or 2152.84 of the 3374  
Revised Code, the sheriff with whom the offender or delinquent 3375  
child has most recently registered under section 2950.04 or 3376  
2950.05 of the Revised Code, within the period of time specified 3377  
in division (C) of this section, shall provide a written notice 3378  
containing the information set forth in division (B) of this 3379  
section to all of the following persons: 3380

(1) All occupants of residences adjacent to the offender's or 3381  
delinquent child's place of residence that are located within the 3382  
county served by the sheriff and all additional neighbors of the 3383  
offender or delinquent child who are within any category that the 3384  
attorney general by rule adopted under section 2950.13 of the 3385  
Revised Code requires to be provided the notice and who reside 3386  
within the county served by the sheriff; 3387

(2) The executive director of the public children services 3388  
agency that has jurisdiction within the specified geographical 3389  
notification area and that is located within the county served by 3390  
the sheriff; 3391

(3)(a) The superintendent of each board of education of a 3392  
school district that has schools within the specified geographical 3393

notification area and that is located within the county served by 3394  
the sheriff; 3395

(b) The principal of the school within the specified 3396  
geographical notification area and within the county served by the 3397  
sheriff that the delinquent child attends; 3398

(c) If the delinquent child attends a school outside of the 3399  
specified geographical notification area or outside of the school 3400  
district where the delinquent child resides, the superintendent of 3401  
the board of education of a school district that governs the 3402  
school that the delinquent child attends and the principal of the 3403  
school that the delinquent child attends. 3404

(4)(a) The appointing or hiring officer of each chartered 3405  
nonpublic school located within the specified geographical 3406  
notification area and within the county served by the sheriff or 3407  
of each other school located within the specified geographical 3408  
notification area and within the county served by the sheriff and 3409  
that is not operated by a board of education described in division 3410  
(A)(3) of this section; 3411

(b) Regardless of the location of the school, the appointing 3412  
or hiring officer of a chartered nonpublic school that the 3413  
delinquent child attends. 3414

(5) The director, headteacher, elementary principal, or site 3415  
administrator of each preschool program governed by Chapter 3301. 3416  
of the Revised Code that is located within the specified 3417  
geographical notification area and within the county served by the 3418  
sheriff; 3419

(6) The administrator of each child day-care center or type A 3420  
family day-care home that is located within the specified 3421  
geographical notification area and within the county served by the 3422  
sheriff, and the provider of each certified type B family day-care 3423  
home that is located within the specified geographical 3424

notification area and within the county served by the sheriff. As 3425  
used in this division, "child day-care center," "type A family 3426  
day-care home," and "certified type B family day-care home" have 3427  
the same meanings as in section 5104.01 of the Revised Code. 3428

(7) The president or other chief administrative officer of 3429  
each institution of higher education, as defined in section 3430  
2907.03 of the Revised Code, that is located within the specified 3431  
geographical notification area and within the county served by the 3432  
sheriff, and the chief law enforcement officer of the state 3433  
university law enforcement agency or campus police department 3434  
established under section 3345.04 or 1713.50 of the Revised Code, 3435  
if any, that serves that institution; 3436

(8) The sheriff of each county that includes any portion of 3437  
the specified geographical notification area; 3438

(9) If the offender or delinquent child resides within the 3439  
county served by the sheriff, the chief of police, marshal, or 3440  
other chief law enforcement officer of the municipal corporation 3441  
in which the offender or delinquent child resides or, if the 3442  
offender or delinquent child resides in an unincorporated area, 3443  
the constable or chief of the police department or police district 3444  
police force of the township in which the offender or delinquent 3445  
child resides. 3446

(B) The notice required under division (A) of this section 3447  
shall include all of the following information regarding the 3448  
subject offender or delinquent child: 3449

(1) The offender's or delinquent child's name; 3450

(2) The address or addresses at which the offender or 3451  
delinquent child resides; 3452

(3) The sexually oriented offense of which the offender was 3453  
convicted or, to which the offender pleaded guilty, or for which 3454  
the child was adjudicated a delinquent child; 3455

(4) A statement that the offender or delinquent child has 3456  
been adjudicated as being a sexual predator and that, as of the 3457  
date of the notice, the court has not entered a determination that 3458  
the offender or delinquent child no longer is a sexual predator, 3459  
or a statement that the sentencing or reviewing judge has 3460  
determined that the offender or delinquent child is a habitual sex 3461  
offender and that, as of the date of the notice, the determination 3462  
has not been removed pursuant to section 2152.83 or 2152.84 of the 3463  
Revised Code. 3464

(C) If a sheriff with whom an offender or delinquent child 3465  
registers under section 2950.04 or 2950.05 of the Revised Code is 3466  
required by division (A) of this section to provide notices 3467  
regarding an offender or delinquent child and if, pursuant to that 3468  
requirement, the sheriff provides a notice to a sheriff of one or 3469  
more other counties in accordance with division (A)(8) of this 3470  
section, the sheriff of each of the other counties who is provided 3471  
notice under division (A)(8) of this section shall provide the 3472  
notices described in divisions (A)(1) to (7) and (A)(9) of this 3473  
section to each person or entity identified within those divisions 3474  
that is located within the geographical notification area and 3475  
within the county served by the sheriff in question. 3476

(D)(1) A sheriff required by division (A) or (C) of this 3477  
section to provide notices regarding an offender or delinquent 3478  
child shall provide the notice to the neighbors that is described 3479  
in division (A)(1) of this section and the notices to law 3480  
enforcement personnel that are described in divisions (A)(8) and 3481  
(9) of this section no later than seventy-two hours after the 3482  
offender or delinquent child registers with the sheriff or, if the 3483  
sheriff is required by division (C) to provide the notices, no 3484  
later than seventy-two hours after the sheriff is provided the 3485  
notice described in division (A)(8) of this section. 3486

A sheriff required by division (A) or (C) of this section to 3487

provide notices regarding an offender or delinquent child shall 3488  
provide the notices to all other specified persons that are 3489  
described in divisions (A)(2) to (7) of this section not later 3490  
than seven days after the offender or delinquent child registers 3491  
with the sheriff, if the sheriff is required by division (C) to 3492  
provide the notices, no later than seventy-two hours after the 3493  
sheriff is provided the notice described in division (A)(8) of 3494  
this section. 3495

(2) If an offender or delinquent child in relation to whom 3496  
division (A) of this section applies verifies the offender's or 3497  
delinquent child's current residence address with a sheriff 3498  
pursuant to section 2950.06 of the Revised Code, the sheriff may 3499  
provide a written notice containing the information set forth in 3500  
division (B) of this section to the persons identified in 3501  
divisions (A)(1) to (9) of this section. If a sheriff provides a 3502  
notice pursuant to this division to the sheriff of one or more 3503  
other counties in accordance with division (A)(8) of this section, 3504  
the sheriff of each of the other counties who is provided the 3505  
notice under division (A)(8) of this section may provide, but is 3506  
not required to provide, a written notice containing the 3507  
information set forth in division (B) of this section to the 3508  
persons identified in divisions (A)(1) to (7) and (A)(9) of this 3509  
section. 3510

(E) All information that a sheriff possesses regarding a 3511  
sexual predator or a habitual sex offender that is described in 3512  
division (B) of this section and that must be provided in a notice 3513  
required under division (A) or (C) of this section or that may be 3514  
provided in a notice authorized under division (D)(2) of this 3515  
section is a public record that is open to inspection under 3516  
section 149.43 of the Revised Code. 3517

(F) The notification provisions of this section do not apply 3518  
regarding a person who is convicted of or pleads guilty to, ~~or~~ has 3519



been convicted of or pleaded guilty to, or is adjudicated a 3520  
delinquent child for committing, a sexually oriented offense, who 3521  
has not been adjudicated as being a sexual predator relative to 3522  
that sexually oriented offense, and who is determined pursuant to 3523  
division (C)(2) or (E) of section 2950.09, section 2152.83, or 3524  
section 2152.84 of the Revised Code to be a habitual sex offender 3525  
unless the sentencing or reviewing court imposes a requirement in 3526  
the offender's sentence and in the judgment of conviction that 3527  
contains the sentence or in the delinquent child's adjudication, 3528  
or imposes a requirement as described in division (C)(2) of 3529  
section 2950.09 of the Revised Code, that subjects the offender or 3530  
the delinquent child to the provisions of this section. 3531

(G) The department of job and family services shall compile, 3532  
maintain, and update in January and July of each year, a list of 3533  
all agencies, centers, or homes of a type described in division 3534  
(A)(2) or (6) of this section that contains the name of each 3535  
agency, center, or home of that type, the county in which it is 3536  
located, its address and telephone number, and the name of an 3537  
administrative officer or employee of the agency, center, or home. 3538  
The department of education shall compile, maintain, and update in 3539  
January and July of each year, a list of all boards of education, 3540  
schools, or programs of a type described in division (A)(3), (4), 3541  
or (5) of this section that contains the name of each board of 3542  
education, school, or program of that type, the county in which it 3543  
is located, its address and telephone number, the name of the 3544  
superintendent of the board or of an administrative officer or 3545  
employee of the school or program, and, in relation to a board of 3546  
education, the county or counties in which each of its schools is 3547  
located and the address of each such school. The Ohio board of 3548  
regents shall compile, maintain, and update in January and July of 3549  
each year, a list of all institutions of a type described in 3550  
division (A)(7) of this section that contains the name of each 3551  
such institution, the county in which it is located, its address 3552

and telephone number, and the name of its president or other chief administrative officer. A sheriff required by division (A) or (C) of this section, or authorized by division (D)(2) of this section, to provide notices regarding an offender or delinquent child, or a designee of a sheriff of that type, may request the department of job and family services, department of education, or Ohio board of regents, by telephone, in person, or by mail, to provide the sheriff or designee with the names, addresses, and telephone numbers of the appropriate persons and entities to whom the notices described in divisions (A)(2) to (7) of this section are to be provided. Upon receipt of a request, the department or board shall provide the requesting sheriff or designee with the names, addresses, and telephone numbers of the appropriate persons and entities to whom those notices are to be provided.

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

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

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

(3) A prosecutor and an officer or employee of the office of

a prosecutor; 3584

(4) A supervising officer and an officer or employee of the 3585  
adult parole authority of the department of rehabilitation and 3586  
correction; 3587

(5) A supervising officer and an officer or employee of the 3588  
department of youth services; 3589

(6) A person identified in division (A)(2), (3), (4), (5), 3590  
(6), or (7) of section 2950.11 of the Revised Code or the agent of 3591  
that person. 3592

(B) The immunity described in division (A) of this section 3593  
does not apply to a person described in divisions (A)(1) to ~~(5)~~(6) 3594  
of this section if, in relation to the act or omission in 3595  
question, any of the following applies: 3596

(1) The act or omission was manifestly outside the scope of 3597  
the person's employment or official responsibilities. 3598

(2) The act or omission was with malicious purpose, in bad 3599  
faith, or in a wanton or reckless manner. 3600

(3) Liability for the act or omission is expressly imposed by 3601  
a section of the Revised Code. 3602

**Sec. 2950.13.** (A) The attorney general shall do all of the 3603  
following: 3604

(1) No later than July 1, 1997, establish and maintain a 3605  
state registry of sex offenders that is housed at the bureau of 3606  
criminal identification and investigation and that contains all of 3607  
the registration, change of residence address, and verification 3608  
information the bureau receives pursuant to sections 2950.04, 3609  
2950.05, and 2950.06 of the Revised Code regarding a person who is 3610  
convicted of or pleads guilty to, or has been convicted of or 3611  
pleaded guilty to, a sexually oriented offense or a person who is 3612

adjudicated a delinquent child for committing on or after the 3613  
effective date of this amendment a sexually oriented offense, was 3614  
fourteen years of age or older at the time of committing the 3615  
sexually oriented offense, and is classified a juvenile sex 3616  
offender registrant by a juvenile court judge based on that 3617  
adjudication, and all of the information the bureau receives 3618  
pursuant to section 2950.14 of the Revised Code; 3619

(2) In consultation with local law enforcement 3620  
representatives and no later than July 1, 1997, adopt rules that 3621  
contain guidelines necessary for the implementation of this 3622  
chapter; 3623

(3) In consultation with local law enforcement 3624  
representatives and no later than July 1, 1997, adopt rules for 3625  
the implementation and administration of the provisions contained 3626  
in section 2950.11 of the Revised Code that pertain to the 3627  
notification of neighbors of ~~a person~~ an offender or a delinquent 3628  
child who has committed a sexually oriented offense and has been 3629  
adjudicated as being a ~~sexually violent~~ sexual predator or 3630  
determined to be a habitual sex offender, and rules that prescribe 3631  
a manner in which victims of a sexually oriented offense committed 3632  
by ~~a person~~ an offender or a delinquent child who has been 3633  
adjudicated as being a sexual predator or determined to be a 3634  
habitual sex offender may make a request that specifies that the 3635  
victim would like to be provided the notices described in 3636  
divisions (A)(1) and (2) of section 2950.10 of the Revised Code-; 3637

(4) In consultation with local law enforcement 3638  
representatives and through the bureau of criminal identification 3639  
and investigation, prescribe the forms to be used by judges and 3640  
officials pursuant to section 2950.03 of the Revised Code to 3641  
advise offenders and delinquent children of their duties of 3642  
registration, notification of a change of residence address and 3643  
registration of the new residence address, and residence address 3644

verification under sections 2950.04, 2950.05, and 2950.06 of the Revised Code, and prescribe the forms to be used by sheriffs relative to those duties of registration, change of residence address notification, and residence address verification;

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

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

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

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

(9) In consultation with the director of education, the director of job and family services, and the director of rehabilitation and correction and no later than July 1, 1997, adopt rules that contain guidelines to be followed by boards of education of a school district, chartered nonpublic schools or other schools not operated by a board of education, preschool programs, child day-care centers, type A family day-care homes, certified type B family day-care homes, and institutions of higher education regarding the proper use and administration of

information received pursuant to section 2950.11 of the Revised Code relative to ~~a person~~ an offender or delinquent child who has been adjudicated as being a sexual predator or determined to be a habitual sex offender;

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

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

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

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

Prior to releasing a delinquent child who is in the custody of the 3708  
department of youth services and who has been adjudicated a 3709  
delinquent child for committing on or after the effective date of 3710  
this amendment a sexually oriented offense, the department of 3711  
youth services shall provide all of the information described in 3712  
division (B) of this section to the bureau of criminal 3713  
identification and investigation regarding the delinquent child. 3714

(B) The department of rehabilitation and correction and the 3715  
department of youth services shall provide all of the following 3716  
information to the bureau of criminal identification and 3717  
investigation regarding an offender or delinquent child described 3718  
in division (A) of this section: 3719

(1) The offender's or delinquent child's name and any aliases 3720  
used by the offender or delinquent child; 3721

(2) All identifying factors concerning the offender or 3722  
delinquent child; 3723

(3) The offender's or delinquent child's anticipated future 3724  
residence; 3725

(4) The offense and delinquency history of the offender or 3726  
delinquent child; 3727

(5) Whether the offender or delinquent child was treated for 3728  
a mental abnormality or personality disorder while under the 3729  
custody and control of the department; 3730

(6) Any other information that the bureau indicates is 3731  
relevant and that the department possesses. 3732

~~(B)~~(C) Upon receipt of the information described in division 3733  
~~(A)~~(B) of this section regarding an offender or delinquent child, 3734  
the bureau immediately shall enter the information into the state 3735  
registry of ~~sexual~~ sex offenders that the bureau maintains 3736  
pursuant to section 2950.13 of the Revised Code and into the 3737

records that the bureau maintains pursuant to division (A) of 3738  
section 109.57 of the Revised Code. 3739

**Sec. 2950.99.** (A) Whoever violates a prohibition in section 3740  
2950.04, 2950.05, or 2950.06 of the Revised Code is guilty of a 3741  
felony of the fifth degree if the most serious sexually oriented 3742  
offense that was the basis of the registration, change of address 3743  
notification, or address verification requirement that was 3744  
violated under the prohibition is a felony if committed by an 3745  
adult, and a misdemeanor of the first degree if the most serious 3746  
sexually oriented offense that was the basis of the registration, 3747  
change of address notification, or address verification 3748  
requirement that was violated under the prohibition is a 3749  
misdemeanor if committed by an adult. In addition to any penalty 3750  
or sanction imposed for the violation, if the offender or 3751  
delinquent child is on probation or parole, is subject to one or 3752  
more post-release control sanctions, or is subject to any other 3753  
type of supervised release at the time of the violation, the 3754  
violation shall constitute a violation of the terms and conditions 3755  
of the probation, parole, post-release control sanction, or other 3756  
type of supervised release. 3757

(B) If a person violates a prohibition in section 2950.04, 3758  
2950.05, or 2950.06 of the Revised Code that applies to the person 3759  
as a result of the person being adjudicated a delinquent child and 3760  
being classified a juvenile sex offender registrant, both of the 3761  
following apply: 3762

(1) If the violation occurs while the person is under 3763  
eighteen years of age, the person is subject to proceedings under 3764  
Chapter 2152. of the Revised Code based on the violation. 3765

(2) If the violation occurs while the person is eighteen 3766  
years of age or older, the person is subject to criminal 3767  
prosecution based on the violation. 3768



Sec. 5139.13. The department of youth services shall do all 3769  
of the following: 3770

(A) Control and manage all institutions for the 3771  
rehabilitation of delinquent children and youthful offenders that 3772  
are operated by the state, except where the control and management 3773  
of an institution is vested by law in another agency; 3774

(B) Provide treatment and training for children committed to 3775  
the department and assigned by the department to various 3776  
institutions under its control and management, including, but not 3777  
limited to, treatment as described in division (F) of section 3778  
2152.18 of the Revised Code for children committed to it for an 3779  
act that is a sexually oriented offense, as defined in section 3780  
2950.01 of the Revised Code; 3781

(C) Establish and maintain appropriate reception centers for 3782  
the reception of children committed to the department and employ 3783  
competent persons to have charge of those centers and to conduct 3784  
investigations; 3785

(D) Establish and maintain any other facilities necessary for 3786  
the training, treatment, and rehabilitation of children committed 3787  
to the department. 3788

**Section 2.** That existing sections 109.42, 2151.23, 2152.02, 3789  
2152.18, 2152.19, 2152.22, 2919.24, 2950.01, 2950.02, 2950.03, 3790  
2950.04, 2950.05, 2950.06, 2950.07, 2950.09, 2950.10, 2950.11, 3791  
2950.12, 2950.13, 2950.14, 2950.99, and 5139.13 of the Revised 3792  
Code are hereby repealed. 3793

**Section 3.** Sections 1 and 2 of this act shall take effect on 3794  
January 1, 2002, or the earliest date permitted by law, whichever 3795  
is later. 3796

**Section 4.** Section 2151.23 of the Revised Code is presented 3797  
in this act as a composite of the section as amended by Am. Sub. 3798  
S.B. 179, Am. Sub. S.B. 180, and Sub. S.B. 218 of the 123rd 3799  
General Assembly. The General Assembly, applying the principle 3800  
stated in division (B) of section 1.52 of the Revised Code that 3801  
amendments are to be harmonized if reasonably capable of 3802  
simultaneous operation, finds that the composite is the resulting 3803  
version of the section in effect prior to the effective date of 3804  
the section as presented in this act. 3805

Section 2152.02 of the Revised Code, as presented in this 3806  
act, includes matter that was amended into former section 2151.02 3807  
of the Revised Code by S.B. 218 of the 123rd General Assembly. 3808  
Paragraphs of former section 2151.02 of the Revised Code were 3809  
transferred to section 2152.02 of the Revised Code by S.B. 179 of 3810  
the 123rd General Assembly as part of its general revision of the 3811  
juvenile sentencing laws. The General Assembly, applying the 3812  
principle stated in division (B) of section 1.52 of the Revised 3813  
Code that amendments are to be harmonized if reasonably capable of 3814  
simultaneous operation, finds that the version of section 2152.02 3815  
of the Revised Code presented in this act is the resulting version 3816  
of the section in effect prior to the date of the section as 3817  
presented in this act. 3818