

As Reported by the House Criminal Justice Committee

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

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

Section 1. That sections 2151.23, 2152.02, 2152.19, 2152.22, 14
2919.24, 2950.01, 2950.02, 2950.03, 2950.04, 2950.05, 2950.06, 15
2950.07, 2950.09, 2950.10, 2950.11, 2950.12, 2950.13, 2950.14, 16
2950.99, and 5139.13 be amended and sections 2152.191, 2152.82, 17
2152.83, 2152.84, 2152.85, and 2950.081 of the Revised Code be 18
enacted to read as follows: 19

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

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

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

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

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

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

(6) To hear and determine all criminal cases in which an 44
adult is charged with a violation of division (C) of section 45
2919.21, division (B)(1) of section 2919.22, section 2919.222, 46
division (B) of section 2919.23, or section 2919.24 of the Revised 47
Code, provided the charge is not included in an indictment that 48
also charges the alleged adult offender with the commission of a 49

felony arising out of the same actions that are the basis of the
alleged violation of division (C) of section 2919.21, division
(B)(1) of section 2919.22, section 2919.222, division (B) of
section 2919.23, or section 2919.24 of the Revised Code;

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

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

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

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

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

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

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

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

based on and in relation to the allegation pertaining to the
child;

(15) To conduct the hearings, and to make the determinations,
adjudications, and orders authorized or required under sections
2152.82 to 2152.85 and Chapter 2950. of the Revised Code regarding
a child who has been adjudicated a delinquent child.

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

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

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

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

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

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

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

(C) The juvenile court, except as to juvenile courts that are
a separate division of the court of common pleas or a separate and
independent juvenile court, has jurisdiction to hear, determine,
and make a record of any action for divorce or legal separation
that involves the custody or care of children and that is filed in

the court of common pleas and certified by the court of common
pleas with all the papers filed in the action to the juvenile
court for trial, provided that no certification of that nature
shall be made to any juvenile court unless the consent of the
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 141
15, 1985, or modified on or after December 1, 1986, is found in 142
contempt of court for failure to make support payments under the 143
order, the court that makes the finding, in addition to any other 144
penalty or remedy imposed, shall assess all court costs arising 145
out of the contempt proceeding against the person and require the 146
person to pay any reasonable attorney's fees of any adverse party, 147
as determined by the court, that arose in relation to the act of 148
contempt. 149

(H) If a child who is charged with an act that would be an 150
offense if committed by an adult was fourteen years of age or 151
older and under eighteen years of age at the time of the alleged 152
act and if the case is transferred for criminal prosecution 153
pursuant to section 2152.12 of the Revised Code, the juvenile 154
court does not have jurisdiction to hear or determine the case 155
subsequent to the transfer. The court to which the case is 156
transferred for criminal prosecution pursuant to that section has 157
jurisdiction subsequent to the transfer to hear and determine the 158
case in the same manner as if the case originally had been 159
commenced in that court, including, but not limited to, 160
jurisdiction to accept a plea of guilty or another plea authorized 161
by Criminal Rule 11 or another section of the Revised Code and 162
jurisdiction to accept a verdict and to enter a judgment of 163
conviction pursuant to the Rules of Criminal Procedure against the 164
child for the commission of the offense that was the basis of the 165
transfer of the case for criminal prosecution, whether the 166
conviction is for the same degree or a lesser degree of the 167
offense charged, for the commission of a lesser-included offense, 168
or for the commission of another offense that is different from 169
the offense charged. 170

(I) If a person under eighteen years of age allegedly commits 171
an act that would be a felony if committed by an adult and if the 172

person is not taken into custody or apprehended for that act until 173
after the person attains twenty-one years of age, the juvenile 174
court does not have jurisdiction to hear or determine any portion 175
of the case charging the person with committing that act. In those 176
circumstances, divisions (A) and (B) of section 2152.12 of the 177
Revised Code do not apply regarding the act, and the case charging 178
the person with committing the act shall be a criminal prosecution 179
commenced and heard in the appropriate court having jurisdiction 180
of the offense as if the person had been eighteen years of age or 181
older when the person committed the act. All proceedings 182
pertaining to the act shall be within the jurisdiction of the 183
court having jurisdiction of the offense, and that court has all 184
the authority and duties in the case that it has in other criminal 185
cases in that court. 186

Sec. 2152.02. As used in this chapter: 187

(A) "Act charged" means the act that is identified in a 188
complaint, indictment, or information alleging that a child is a 189
delinquent child. 190

(B) "Admitted to a department of youth services facility" 191
includes admission to a facility operated, or contracted for, by 192
the department and admission to a comparable facility outside this 193
state by another state or the United States. 194

(C)(1) "Child" means a person who is under eighteen years of 195
age, except as otherwise provided in divisions (C)(2) to (6) of 196
this section. 197

(2) Subject to division (C)(3) of this section, any person 198
who violates a federal or state law or a municipal ordinance prior 199
to attaining eighteen years of age shall be deemed a "child" 200
irrespective of that person's age at the time the complaint with 201
respect to that violation is filed or the hearing on the complaint 202
is held. 203

(3) Any person who, while under eighteen years of age, 204
commits an act that would be a felony if committed by an adult and 205
who is not taken into custody or apprehended for that act until 206
after the person attains twenty-one years of age is not a child in 207
relation to that act. 208

(4) Any person whose case is transferred for criminal 209
prosecution pursuant to section 2152.12 of the Revised Code shall 210
be deemed after the transfer not to be a child in the transferred 211
case. 212

(5) Any person whose case is transferred for criminal 213
prosecution pursuant to section 2152.12 of the Revised Code and 214
who subsequently is convicted of or pleads guilty to a felony in 215
that case, and any person who is adjudicated a delinquent child 216
for the commission of an act, who has a serious youthful offender 217
dispositional sentence imposed for the act pursuant to section 218
2152.13 of the Revised Code, and whose adult portion of the 219
dispositional sentence is invoked pursuant to section 2152.14 of 220
the Revised Code, shall be deemed after the transfer or invocation 221
not to be a child in any case in which a complaint is filed 222
against the person. 223

(6) The juvenile court has jurisdiction over a person who is 224
adjudicated a delinquent child or juvenile traffic offender prior 225
to attaining eighteen years of age until the person attains 226
twenty-one years of age, and, for purposes of that jurisdiction 227
related to that adjudication, a person who is so adjudicated a 228
delinquent child or juvenile traffic offender shall be deemed a 229
"child" until the person attains twenty-one years of age. 230

(D) "Chronic truant" means any child of compulsory school age 231
who is absent without legitimate excuse for absence from the 232
public school the child is supposed to attend for seven or more 233
consecutive school days, ten or more school days in one school 234
month, or fifteen or more school days in a school year. 235

(E) "Community corrections facility," "public safety beds," 236
"release authority," and "supervised release" have the same 237
meanings as in section 5139.01 of the Revised Code. 238

(F) "Delinquent child" includes any of the following: 239

(1) Any child, except a juvenile traffic offender, who 240
violates any law of this state or the United States, or any 241
ordinance of a political subdivision of the state, that would be 242
an offense if committed by an adult; 243

(2) Any child who violates any lawful order of the court made 244
under this chapter or under Chapter 2151. of the Revised Code 245
other than an order issued under section 2151.87 of the Revised 246
Code; 247

(3) Any child who violates division (A) of section 2923.211 248
of the Revised Code; 249

(4) Any child who is a habitual truant and who previously has 250
been adjudicated an unruly child for being a habitual truant; 251

(5) Any child who is a chronic truant. 252

(G) "Discretionary serious youthful offender" means a person 253
who is eligible for a discretionary SYO and who is not transferred 254
to adult court under a mandatory or discretionary transfer. 255

(H) "Discretionary SYO" means a case in which the juvenile 256
court, in the juvenile court's discretion, may impose a serious 257
youthful offender disposition under section 2152.13 of the Revised 258
Code. 259

(I) "Discretionary transfer" means that the juvenile court 260
has discretion to transfer a case for criminal prosecution under 261
division (B) of section 2152.12 of the Revised Code. 262

(J) "Drug abuse offense," "felony drug abuse offense," and 263
"minor drug possession offense" have the same meanings as in 264
section 2925.01 of the Revised Code. 265

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

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

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

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

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

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

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

(R) "Mandatory transfer" means that a case is required to be

transferred for criminal prosecution under division (A) of section 297
2152.12 of the Revised Code. 298

(S) "Mental illness" has the same meaning as in section 299
5122.01 of the Revised Code. 300

(T) "Mentally retarded person" has the same meaning as in 301
section 5123.01 of the Revised Code. 302

(U) "Monitored time" and "repeat violent offender" have the 303
same meanings as in section 2929.01 of the Revised Code. 304

(V) "Of compulsory school age" has the same meaning as in 305
section 3321.01 of the Revised Code. 306

(W) "Public record" has the same meaning as in section 149.43 307
of the Revised Code. 308

(X) "Serious youthful offender" means a person who is 309
eligible for a mandatory SYO or discretionary SYO but who is not 310
transferred to adult court under a mandatory or discretionary 311
transfer. 312

(Y) "Sexually oriented offense," ~~has~~ "habitual sex offender," 313
"juvenile sex offender registrant," and "sexual predator" have the 314
same ~~meaning~~ meanings as in section 2950.01 of the Revised Code. 315
316

(Z) "Traditional juvenile" means a case that is not 317
transferred to adult court under a mandatory or discretionary 318
transfer, that is eligible for a disposition under sections 319
2152.16, 2152.17, 2152.19, and 2152.20 of the Revised Code, and 320
that is not eligible for a disposition under section 2152.13 of 321
the Revised Code. 322

(AA) "Transfer" means the transfer for criminal prosecution 323
of a case involving the alleged commission by a child of an act 324
that would be an offense if committed by an adult from the 325
juvenile court to the appropriate court that has jurisdiction of 326

the offense. 327

(BB) "Category one offense" means any of the following: 328

(1) A violation of section 2903.01 or 2903.02 of the Revised 329
Code; 330

(2) A violation of section 2923.02 of the Revised Code 331
involving an attempt to commit aggravated murder or murder. 332

(CC) "Category two offense" means any of the following: 333

(1) A violation of section 2903.03, 2905.01, 2907.02, 334
2909.02, 2911.01, or 2911.11 of the Revised Code; 335

(2) A violation of section 2903.04 of the Revised Code that 336
is a felony of the first degree; 337

(3) A violation of section 2907.12 of the Revised Code as it 338
existed prior to September 3, 1996. 339

Sec. 2152.19. (A) If a child is adjudicated a delinquent 340
child, the court may make any of the following orders of 341
disposition, in addition to any other disposition authorized or 342
required by this chapter: 343

(1) Any order that is authorized by section 2151.353 of the 344
Revised Code for the care and protection of an abused, neglected, 345
or dependent child; 346

(2) Commit the child to the temporary custody of any school, 347
camp, institution, or other facility operated for the care of 348
delinquent children by the county, by a district organized under 349
section 2152.41 or 2151.65 of the Revised Code, or by a private 350
agency or organization, within or without the state, that is 351
authorized and qualified to provide the care, treatment, or 352
placement required; 353

(3) Place the child on community control under any sanctions, 354
services, and conditions that the court prescribes. As a condition 355

of community control in every case and in addition to any other
condition that it imposes upon the child, the court shall require
the child to abide by the law during the period of community
control. As referred to in this division, community control
includes, but is not limited to, the following sanctions and
conditions:

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

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

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

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

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

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

(g) A requirement of alcohol or drug assessment or

counseling, or a period in an alcohol or drug treatment program
with a level of security for the child as determined necessary by
the court;

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

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

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

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

A period of electronically monitored house arrest imposed
under this division shall not extend beyond the child's
twenty-first birthday. If a court imposes a period of
electronically monitored house arrest upon a child under this
division, it shall require the child: to wear, otherwise have
attached to the child's person, or otherwise be subject to
monitoring by a certified electronic monitoring device or to
participate in the operation of and monitoring by a certified
electronic monitoring system; to remain in the child's home or
other specified premises for the entire period of electronically
monitored house arrest except when the court permits the child to
leave those premises to go to school or to other specified
premises; to be monitored by a central system that can determine
the child's location at designated times; to report periodically
to a person designated by the court; and to enter into a written
contract with the court agreeing to comply with all requirements
imposed by the court, agreeing to pay any fee imposed by the court
for the costs of the electronically monitored house arrest, and
agreeing to waive the right to receive credit for any time served

on electronically monitored house arrest toward the period of any
other dispositional order imposed upon the child if the child
violates any of the requirements of the dispositional order of
electronically monitored house arrest. The court also may impose
other reasonable requirements upon the child.

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

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

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

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

(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;

(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.

(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:

(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.

(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.

(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 543
to this division shall be returned to the court by the person to 544
whom they were made available immediately following the imposition 545
of an order of disposition for the child under this chapter. 546

(4) The department of youth services shall work with local 547
probation departments and victim assistance programs to develop a 548
standard victim impact statement. 549

(E) If a child is adjudicated a delinquent child for being a 550
chronic truant or an habitual truant who previously has been 551
adjudicated an unruly child for being an habitual truant and the 552
court determines that the parent, guardian, or other person having 553
care of the child has failed to cause the child's attendance at 554
school in violation of section 3321.38 of the Revised Code, in 555
addition to any order of disposition it makes under this section, 556
the court shall warn the parent, guardian, or other person having 557
care of the child that any subsequent adjudication of the child as 558
an unruly or delinquent child for being an habitual or chronic 559
truant may result in a criminal charge against the parent, 560
guardian, or other person having care of the child for a violation 561
of division (C) of section 2919.21 or section 2919.24 of the 562
Revised Code. 563

(F)(1) During the period of a delinquent child's community 564
control granted under this section, authorized probation officers 565
who are engaged within the scope of their supervisory duties or 566
responsibilities may search, with or without a warrant, the person 567
of the delinquent child, the place of residence of the delinquent 568
child, and a motor vehicle, another item of tangible or intangible 569
personal property, or other real property in which the delinquent 570
child has a right, title, or interest or for which the delinquent 571
child has the express or implied permission of a person with a 572
right, title, or interest to use, occupy, or possess if the 573
probation officers have reasonable grounds to believe that the 574

delinquent child is not abiding by the law or otherwise is not
complying with the conditions of the delinquent child's community
control. The court that places a delinquent child on community
control under this section shall provide the delinquent child with
a written notice that informs the delinquent child that authorized
probation officers who are engaged within the scope of their
supervisory duties or responsibilities may conduct those types of
searches during the period of community control if they have
reasonable grounds to believe that the delinquent child is not
abiding by the law or otherwise is not complying with the
conditions of the delinquent child's community control. The court
also shall provide the written notice described in division (E)(2)
of this section to each parent, guardian, or custodian of the
delinquent child who is described in that division.

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

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

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

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

Sec. 2152.22. (A) When a child is committed to the legal
custody of the department of youth services under this chapter,
the juvenile court relinquishes control with respect to the child
so committed, except as provided in divisions (B), (C), and (G) of
this section or in sections 2152.82 to 2152.85 of the Revised
Code. Subject to divisions (B) and (C) of this section, sections
2151.353 and 2151.412 to 2151.421 of the Revised Code, sections
2152.82 to 2152.85 of the Revised Code, and any other provision of
law that specifies a different duration for a dispositional order,
all other dispositional orders made by the court under this
chapter shall be temporary and shall continue for a period that is
designated by the court in its order, until terminated or modified
by the court or until the child attains twenty-one years of age.

The department shall not release the child from a department
facility and as a result shall not discharge the child or order

the child's release on supervised release prior to the expiration
of the period of court control over the child or prior to the
child's attainment of twenty-one years of age, except upon the
order of a court pursuant to division (B) or (C) of this section
or in accordance with section 5139.54 of the Revised Code.

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

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

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

(c) If the child was committed to the department until the
child attains twenty-one years of age for an act that would be
aggravated murder or murder if committed by an adult, at any time
during the first 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 (B)(1) of this
section, it shall request the court that committed the child to
grant a judicial release of the child to court supervision. During

whichever of those periods is applicable, the child or the parents
of the child also may request that court to grant a judicial
release of the child to court supervision. Upon receipt of a
request for a judicial release to court supervision from the
department, the child, or the child's parent, or upon its own
motion, the court that committed the child shall do one of the
following: approve the release by journal entry; schedule within
thirty days after the request is received a time for a hearing on
whether the child is to be released; or reject the request by
journal entry without conducting a hearing.

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

(3) If a court schedules a hearing under division (B)(2) of
this section, it may order the department to deliver the child to
the court on the date set for the hearing and may order the
department to present to the court a report on the child's
progress in the institution to which the child was committed and
recommendations for conditions of supervision of the child by the
court after release. The court may conduct the hearing without the
child being present. The court shall determine at the hearing
whether the child should be granted a judicial release to court
supervision.

If the court approves the release, it shall order its staff

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

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

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

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

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

of the child.

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

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

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(3) If a court schedules a hearing under division (C)(2) of this section, it may order the department to deliver the child to the court on the date set for the hearing and shall order the department to present to the court at that time a treatment plan for the child's post-institutional care. The court may conduct the

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hearing without the child being present. The court shall determine
at the hearing whether the child should be granted a judicial
release to department of youth services supervision.

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

If the court approves the judicial release to department of
youth services supervision, the actual date on which the
department shall release the child is contingent upon the
department finding a suitable placement for the child. If the
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
shall remain in institutional care for a minimum of three months
or until the child successfully completes a revocation program of
a duration of not less than thirty days operated either by the
department or by an entity with which the department has
contracted to provide a revocation program.

(E) The department of youth services, prior to the release of

a child pursuant to division (C) of this section, shall do all of
the following:

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

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

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

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

(F) The department of youth services shall file a written
progress report with the committing court regarding each child
released pursuant to division (C) of this section at least once
every thirty days unless specifically directed otherwise by the
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 the delinquent child was fourteen,
fifteen, sixteen, or seventeen years of age at the time of
committing the offense, and the delinquent child previously was
adjudicated a delinquent child for committing any sexually
oriented offense, regardless of when the prior offense was
committed and regardless of the delinquent child's age at the time
of committing the offense.

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

(1) The judge shall include in the order any determination
that the delinquent child is a sexual predator or is a habitual
sex offender that the judge makes pursuant to division (B) or (E)

of section 2950.09 of the Revised Code and any related information 890
required or authorized under the division under which the 891
determination is made, including, but not limited to, any 892
requirement imposed by the court subjecting a child who is a 893
habitual sex offender to community notification provisions as 894
described in division (E) of that section. 895

(2) The judge shall include in the order a statement that, 896
upon completion of the disposition of the delinquent child that 897
was made for the sexually oriented offense upon which the order is 898
based, a hearing will be conducted, and the order and any 899
determinations included in the order are subject to modification 900
or termination pursuant to section 2152.84 of the Revised Code. 901

(3) The judge shall provide a copy of the order to the 902
delinquent child and to the delinquent child's parent, guardian, 903
or custodian, as part of the notice provided under divisions (A) 904
and (B) of section 2950.03 of the Revised Code. 905

(4) The judge shall include the order in the delinquent 906
child's dispositional order and shall specify in the dispositional 907
order that the order issued under division (A) of this section was 908
made pursuant to this section. 909

(C) An order issued under division (A) of this section and 910
any determinations included in the order shall remain in effect 911
for the period of time specified in section 2950.07 of the Revised 912
Code, subject to a modification or termination of the order under 913
section 2152.84 or 2152.85 of the Revised Code. If an order is 914
issued under division (A) of this section, the child's attainment 915
of eighteen or twenty-one years of age does not affect or 916
terminate the order, and the order remains in effect for the 917
period of time described in this division. 918

Sec. 2152.83. (A) If a child is adjudicated a delinquent 919
child for committing on or after the effective date of this 920
section a sexually oriented offense, if the child was sixteen or 921

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seventeen years of age at the time of committing the offense, and
if the juvenile court judge was not required to classify the child
a juvenile sex offender registrant under section 2152.82 of the
Revised Code, upon the child's discharge or release from a secure
facility or at the time of disposition if the judge does not
commit the child to the custody of a secure facility, the juvenile
court judge who adjudicated the child a delinquent child, or that
judge's successor in office, 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. Prior to issuing the order, the judge shall conduct
the hearing and make the determinations required by, and otherwise
comply with, divisions (B) and (E) of section 2950.09 of the
Revised Code. When a judge issues an order under division (A) of
this section, the judge shall include in the order any
determination that the delinquent child is a sexual predator or is
a habitual sex offender that the judge makes pursuant to division
(B) or (E) of section 2950.09 of the Revised Code and any related
information required or authorized under the division under which
the determination is made, including, but not limited to, any
requirement imposed by the court subjecting a child who is a
habitual sex offender to community notification provisions as
described in division (E) of that section.

(B) If a child is adjudicated a delinquent child for
committing on or after the effective date of this section a
sexually oriented offense, if the delinquent child was fourteen or
fifteen years of age at the time of committing the offense, and if
the juvenile court judge was not required to classify the child a
juvenile sex offender registrant under section 2152.82 of the
Revised Code, upon the child's discharge or release from a secure
facility or at the time of disposition if the judge does not
commit the child to the custody of a secure facility, the juvenile

court judge who adjudicated the child a delinquent child, or that
judge's successor in office, may, on the judge's own motion,
conduct a hearing to review the effectiveness of the disposition
and of any treatment provided for a child placed in a secure
setting and to determine whether the child should be classified a
juvenile sex offender registrant. The judge may conduct the
hearing on the judge's own initiative or based upon a
recommendation of an officer or employee of the department of
youth services, a probation officer, an employee of the court, or
a prosecutor or law enforcement officer. If the judge conducts the
hearing, upon completion of the hearing, the judge, in the judge's
discretion and after consideration of the factors listed in
division (E) of this section, shall do either of the following:

(1) Decline to 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;

(2) 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 and, if the
judge determines as described in division (C) of this section that
the child is a sexual predator or a habitual sex offender, include
in the order a statement that the judge has determined that the
child is a sexual predator or a habitual sex offender, whichever
is applicable.

(C) A judge may issue an order under division (B) of this
section that contains a determination that a delinquent child is a
sexual predator only if the judge, in accordance with the
procedures specified in division (B) of section 2950.09 of the
Revised Code, determines at the hearing by clear and convincing
evidence that the child is a sexual predator. A judge may issue an
order under division (B) of this section that contains a
determination that a delinquent child is a habitual sex offender

only if the judge determines at the hearing as described in 986
division (E) of section 2950.09 of the Revised Code that the child 987
is a habitual sex offender. If the judge issues an order under 988
division (B) of this section that contains a determination that a 989
delinquent child is a habitual sex offender, the judge may impose 990
a requirement subjecting the child to community notification 991
provisions as described in division (E) of section 2950.09 of the 992
Revised Code. 993

(D) If a judge issues an order under division (A) or (B) of 994
this section, the judge shall provide to the delinquent child and 995
to the delinquent child's parent, guardian, or custodian a copy of 996
the order and a notice containing the information described in 997
divisions (A) and (B) of section 2950.03 of the Revised Code. The 998
judge shall provide the notice at the time of the issuance of the 999
order, shall provide the notice as described in division (B)(1)(c) 1000
of that section, and shall comply with divisions (B)(1), (B)(2), 1001
and (C) of that section regarding that notice. 1002

The judge also shall include in the order a statement that, 1003
upon completion of the disposition of the delinquent child that 1004
was made for the sexually oriented offense upon which the order is 1005
based, a hearing will be conducted and the order is subject to 1006
modification or termination pursuant to section 2152.84 of the 1007
Revised Code. 1008

(E) In making a decision under division (B) of this section 1009
as to whether a delinquent child should be classified a juvenile 1010
sex offender registrant and, if so, whether the child also is a 1011
sexual predator or a habitual sex offender, a judge shall consider 1012
all relevant factors, including, but not limited to, all of the 1013
following: 1014

(1) The nature of the sexually oriented offense committed by 1015
the child; 1016

(2) Whether the child has shown any genuine remorse or 1017

<u>compunction for the offense;</u>	1018
<u>(3) The public interest and safety;</u>	1019
<u>(4) The factors set forth in division (B)(3) of section</u>	1020
<u>2950.09 of the Revised Code;</u>	1021
<u>(5) The factors set forth in divisions (B) and (C) of section</u>	1022
<u>2929.12 of the Revised Code as those factors apply regarding the</u>	1023
<u>delinquent child, the offense, and the victim;</u>	1024
<u>(6) The results of any treatment provided to the child and of</u>	1025
<u>any follow-up professional assessment of the child.</u>	1026
<u>(F) An order issued under division (A) or (B) of this section</u>	1027
<u>shall remain in effect for the period of time specified in section</u>	1028
<u>2950.07 of the Revised Code, subject to a modification or</u>	1029
<u>termination of the order under section 2152.84 of the Revised</u>	1030
<u>Code. The child's attainment of eighteen or twenty-one years of</u>	1031
<u>age does not affect or terminate the order, and the order remains</u>	1032
<u>in effect for the period of time described in this division.</u>	1033
<u>(G) As used in the section, "secure facility" has the same</u>	1034
<u>meaning as in section 2950.01 of the Revised Code.</u>	1035
<u>Sec. 2152.84. (A)(1) When a juvenile court judge issues an</u>	1036
<u>order under section 2152.82 or division (A) or (B) of section</u>	1037
<u>2152.83 of the Revised Code that classifies a delinquent child a</u>	1038
<u>juvenile sex offender registrant and specifies that the child has</u>	1039
<u>a duty to register under section 2950.04 of the Revised Code, upon</u>	1040
<u>completion of the disposition of that delinquent child that the</u>	1041
<u>judge made for the sexually oriented offense on which the juvenile</u>	1042
<u>sex offender registrant order was based, the judge or the judge's</u>	1043
<u>successor in office shall conduct a hearing to do all of the</u>	1044
<u>following:</u>	1045
<u>(a) Review the effectiveness of the disposition and of any</u>	1046
<u>treatment provided for the child;</u>	1047

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

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

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

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

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

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

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

(e) If the order was issued under division (B) of section 2152.83 of the Revised Code and does not include a sexual predator determination as described in division (A)(2)(d) of this section but includes a determination by the judge that the delinquent child is a habitual sex offender, enter an order that contains a determination that the child no longer is a habitual sex offender and that also contains either a determination that the child remains a juvenile sex offender registrant but is not a sexual predator or habitual sex offender or a determination that specifies that the child no longer is a juvenile sex offender registrant and no longer has a duty to register under section

2950.04 of the Revised Code; 1111

(f) If the order was issued under division (B) of section 1112
2152.83 of the Revised Code and the order does not include a 1113
sexual predator determination or a habitual sex offender 1114
determination as described in divisions (A)(2)(d) and (e) of this 1115
section, enter an order that contains a determination that the 1116
delinquent child no longer is a juvenile sex offender registrant 1117
and no longer has a duty to register under section 2950.04 of the 1118
Revised Code. 1119

(B) If a judge issues an order under division (A)(2)(a) of 1120
this section that continues the prior classification of the 1121
delinquent child as a juvenile sex offender registrant and any 1122
sexual predator or habitual sex offender determination included in 1123
the order, the prior classification and the prior determination, 1124
if applicable, shall remain in effect. 1125

A judge may issue an order under division (A)(2) of this 1126
section that contains a determination that a child no longer is a 1127
sexual predator only if the judge, in accordance with the 1128
procedures specified in division (D)(1) of section 2950.09 of the 1129
Revised Code, determines at the hearing by clear and convincing 1130
evidence that the delinquent child is unlikely to commit a 1131
sexually oriented offense in the future. If the judge issues an 1132
order of that type, the judge shall provide the notifications 1133
described in division (D)(1) of section 2950.09 of the Revised 1134
Code, and the recipient of the notification shall comply with the 1135
provisions of that division. 1136

(C) If a judge issues an order under any provision of 1137
division (A)(2) of this section, the judge shall provide to the 1138
delinquent child and to the delinquent child's parent, guardian, 1139
or custodian a copy of the order and a notice containing the 1140
information described in divisions (A) and (B) of section 2950.03 1141
of the Revised Code. The judge shall provide the notice at the 1142

time of the issuance of the order, shall provide the notice as 1143
described in division (B)(1)(c) of that section, and shall comply 1144
with divisions (B)(1), (B)(2), and (C) of that section regarding 1145
that notice. 1146

(D) In making a decision under division (A) of this section, 1147
a judge shall consider all relevant factors, including, but not 1148
limited to, the factors listed in division (E) of section 2152.83 1149
of the Revised Code. 1150

(E) An order issued under division (A)(2) of this section and 1151
any determinations included in the order shall remain in effect 1152
for the period of time specified in section 2950.07 of the Revised 1153
Code, subject to a modification or termination of the order under 1154
section 2152.85 of the Revised Code. If an order is issued under 1155
division (A)(2) of this section, the child's attainment of 1156
eighteen or twenty-one years of age does not affect or terminate 1157
the order, and the order remains in effect for the period of time 1158
described in this division. 1159

Sec. 2152.85. (A) Upon the expiration of the applicable 1161
period of time specified in division (B)(1) or (2) of this 1162
section, a delinquent child who has been classified pursuant to 1163
this section or section 2152.82 or 2152.83 of the Revised Code a 1164
juvenile sex offender registrant may petition the judge who made 1165
the classification, or that judge's successor in office, to do one 1166
of the following: 1167

(1) If the order containing the juvenile sex offender 1168
registrant classification also includes a determination by the 1169
juvenile court judge that the delinquent child is a sexual 1170
predator relative to the sexually oriented offense in the manner 1171
described in section 2152.82 or 2152.83 of the Revised Code and 1172
that determination remains in effect, to enter an order that 1173
contains a determination that the child no longer is a sexual 1174

predator and that also contains either a determination that the
child is a habitual sex offender or a determination that the child
remains a juvenile sex offender registrant but is not a sexual
predator or habitual sex offender;

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

(3) If the order containing the juvenile sex offender
registrant classification under section 2152.82 or 2152.83 of the
Revised Code or under division (C)(2) of this section pursuant to
a petition filed under division (A) of this section does not
include a sexual predator or habitual sex offender determination
as described in division (A)(1) or (2) of this section, to enter
an order that contains a determination that the child no longer is
a juvenile sex offender registrant and no longer has a duty to
register under section 2950.04 of the Revised Code.

(B) A delinquent child who has been adjudicated a delinquent
child for committing on or after the effective date of this

section a sexually oriented offense and who has been classified a
juvenile sex offender registrant relative to that sexually
oriented offense may file a petition under division (A) of this
section requesting reclassification or declassification as
described in that division after the expiration of one of the
following periods of time:

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

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

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

(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.

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

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

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

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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

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divisions (A) and (B) of section 2950.03 of the Revised Code. The
judge shall provide the notice at the time of the issuance of the
order, shall provide the notice as described in division (B)(1)(c)
of section 2950.03 of the Revised Code, and shall comply with
divisions (B)(1), (B)(2), and (C) of that section regarding that
notice.

(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.

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

(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;

(2) Act in a way tending to cause a child or a ward of the
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;

(3) If the person is the parent, guardian, or custodian of a
child who has the duties under Chapters 2152. and 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

<u>Chapters 2152. and 2950. of the Revised Code.</u>	1298
(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.	1299 1300 1301 1302
Sec. 2950.01. As used in this chapter, unless the context clearly requires otherwise:	1304 1305
(A) "Confinement" includes, but is not limited to, a community residential sanction imposed pursuant to section 2929.16 of the Revised Code.	1306 1307 1308
(B) "Habitual sex offender" means, <u>except when a juvenile judge removes this classification pursuant to division (A)(2) of section 2152.84 or division (C)(2) of section 2152.85 of the Revised Code, a person who to whom both of the following apply:</u>	1309 1310 1311 1312
<u>(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 based on that adjudication.</u>	1313 1314 1315 1316 1317 1318 1319
<u>(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.</u>	1320 1321 1322 1323
(C) "Prosecutor" has the same meaning as in section 2935.01 of the Revised Code.	1324 1325
(D) "Sexually oriented offense" means any <u>of the following:</u>	1326
<u>(1) Subject to division (D)(2) of this section, any of the</u>	1327

following violations or offenses: 1328

~~(1)~~(a) Regardless of the age of the victim of the offense, a 1329
violation of section 2907.02, 2907.03, or 2907.05 of the Revised 1330
Code; 1331

~~(2)~~(b) Any of the following offenses involving a minor, in 1332
the circumstances specified: 1333

~~(a)~~(i) A violation of section 2905.01, 2905.02, 2905.03, 1334
2905.04, 2905.05, or 2907.04 of the Revised Code when the victim 1335
of the offense is under eighteen years of age; 1336

~~(b)~~(ii) A violation of section 2907.21 of the Revised Code 1337
when the person who is compelled, induced, procured, encouraged, 1338
solicited, requested, or facilitated to engage in, paid or agreed 1339
to be paid for, or allowed to engage in the sexual activity in 1340
question is under eighteen years of age; 1341

~~(c)~~(iii) A violation of division (A)(1) or (3) of section 1342
2907.321 or 2907.322 of the Revised Code; 1343

~~(d)~~(iv) A violation of division (A)(1) or (2) of section 1344
2907.323 of the Revised Code; 1345

~~(e)~~(v) A violation of division (B)(5) of section 2919.22 of 1346
the Revised Code when the child who is involved in the offense is 1347
under eighteen years of age. 1348

~~(3)~~(c) Regardless of the age of the victim of the offense, a 1349
violation of section 2903.01, 2903.02, 2903.11, or 2905.01 of the 1350
Revised Code, or of division (A) of section 2903.04 of the Revised 1351
Code, that is committed with a purpose to gratify the sexual needs 1352
or desires of the offender; 1353

~~(4)~~(d) A sexually violent offense; 1354

~~(5)~~(e) A violation of any former law of this state that was 1355
substantially equivalent to any offense listed in division 1356
(D)(1)(a), ~~(2)~~, ~~(3)~~(b), (c), or ~~(4)~~(d) of this section; 1357

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

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

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

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

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

(c) Subject to division (A)(2)(d) of this section, a violation of division (A)(1) or (3) of section 2907.321, division (A)(1) or (3) of section 2907.322, or division (A)(1) or (2) of section 2907.323 of the Revised Code, or an attempt to violate any of those divisions, if the person who violates or attempts to violate the division is four or more years older than the minor who is the victim of the offense;

(d) If the child's case has been transferred for criminal prosecution under section 2152.12 of the Revised Code, the act is

any violation listed in division (D)(1)(a), (b), (c), (d), (e), 1389
(f), or (g) of this section or would be any offense listed in any 1390
of those divisions if committed by an adult. 1391

(E) "Sexual predator" means a person ~~who~~ to whom either of 1392
the following applies: 1393

(1) The person has been convicted of or pleaded guilty to 1394
committing a sexually oriented offense and is likely to engage in 1395
the future in one or more sexually oriented offenses. 1396

(2) The person has been adjudicated a delinquent child for 1397
committing a sexually oriented offense, was fourteen years of age 1398
or older at the time of committing the offense, was classified a 1399
juvenile sex offender registrant based on that adjudication, and 1400
is likely to engage in the future in one or more sexually oriented 1401
offenses. 1402

(F) "Supervised release" means a release of an offender from 1403
a prison term, a term of imprisonment, or another type of 1404
confinement that satisfies either of the following conditions: 1405

(1) The release is on parole, a conditional pardon, or 1406
probation, under transitional control, or under a post-release 1407
control sanction, and it requires the person to report to or be 1408
supervised by a parole officer, probation officer, field officer, 1409
or another type of supervising officer. 1410

(2) The release is any type of release that is not described 1411
in division (F)(1) of this section and that requires the person to 1412
report to or be supervised by a probation officer, a parole 1413
officer, a field officer, or another type of supervising officer. 1414

(G) An offender or delinquent child is "adjudicated as being 1415
a sexual predator" if any of the following applies and if that 1416
status has not been removed pursuant to section 2152.84, 2152.85, 1417
or 2950.09 of the Revised Code: 1418

(1) The offender is convicted of or pleads guilty to 1419

committing, on or after January 1, 1997, a sexually oriented
offense that is a sexually violent offense and also is convicted
of or pleads guilty to a sexually violent predator specification
that was included in the indictment, count in the indictment, or
information that charged the sexually violent offense.

(2) Regardless of when the sexually oriented offense was
committed, on or after January 1, 1997, the offender is sentenced
for a sexually oriented offense, and the sentencing judge
determines pursuant to division (B) of section 2950.09 of the
Revised Code that the offender is a sexual predator.

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

(4) Prior to January 1, 1997, the offender was convicted of
or pleaded guilty to, and was sentenced for, a sexually oriented
offense, the offender is imprisoned in a state correctional
institution on or after January 1, 1997, and the court determines
pursuant to division (C) of section 2950.09 of the Revised Code
that the offender is a sexual predator.

~~(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 1452
offender was convicted or pleaded guilty or the delinquent child 1453
was adjudicated, to register as a sex offender until the 1454
offender's or delinquent child's death and to verify the 1455
offender's or delinquent child's address on at least a quarterly 1456
basis each year, and, on or after July 1, 1997, for offenders or 1457
the effective date of this amendment for delinquent children the 1458
offender or delinquent child moves to and resides in this state or 1459
temporarily is domiciled in this state for more than seven days, 1460
unless a court of common pleas or juvenile court determines that 1461
the offender or delinquent child is not a sexual predator pursuant 1462
to division (F) of section 2950.09 of the Revised Code. 1463

(H) "Sexually violent predator specification" and "sexually 1464
violent offense" have the same meanings as in section 2971.01 of 1465
the Revised Code. 1466

(I) "Post-release control sanction" and "transitional 1467
control" have the same meanings as in section 2967.01 of the 1468
Revised Code. 1469

(J) "Juvenile sex offender registrant" means a person who is 1470
adjudicated a delinquent child for committing on or after the 1471
effective date of this amendment a sexually oriented offense, who 1472
is fourteen years of age or older at the time of committing the 1473
offense, and who a juvenile court judge, pursuant to an order 1474
issued under section 2152.82, 2152.83, 2152.84, or 2152.85 of the 1475
Revised Code, classifies as a juvenile sex offender registrant and 1476
specifies has a duty to register under section 2950.04 of the 1477
Revised Code. 1478

(K) "Secure facility" means any facility that is designed and 1479
operated to ensure that all of its entrances and exits are locked 1480
and under the exclusive control of its staff and to ensure that, 1481
because of that exclusive control, no person who is 1482
institutionalized or confined in the facility may leave the 1483

facility without permission or supervision.

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

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

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(1) If the public is provided adequate notice and information
about sexual predators, habitual sex offenders, and certain other
offenders and delinquent children who commit sexually oriented
offenses, members of the public and communities can develop
constructive plans to prepare themselves and their children for
the sexual predator's, habitual sex offender's, or other
offender's or delinquent child's release from imprisonment, a
prison term, or other confinement or detention. This allows
members of the public and communities to meet with members of law
enforcement agencies to prepare and obtain information about the
rights and responsibilities of the public and the communities and
to provide education and counseling to their children.

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

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(3) The penal, juvenile, and mental health components of the
justice system of this state are largely hidden from public view,

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and a lack of information from ~~either any~~ component may result in 1515
the failure of ~~both systems~~ the system to satisfy this paramount 1516
governmental interest of public safety described in division 1517
(A)(2) of this section. 1518

(4) Overly restrictive confidentiality and liability laws 1519
governing the release of information about sexual predators and 1520
habitual sex offenders have reduced the willingness to release 1521
information that could be appropriately released under the public 1522
disclosure laws and have increased risks of public safety. 1523

(5) A person who is found to be a sexual predator or a 1524
habitual sex offender has a reduced expectation of privacy because 1525
of the public's interest in public safety and in the effective 1526
operation of government. 1527

(6) The release of information about sexual predators and 1528
habitual sex offenders to public agencies and the general public 1529
will further the governmental interests of public safety and 1530
public scrutiny of the criminal, juvenile, and mental health 1531
systems as long as the information released is rationally related 1532
to the furtherance of those goals. 1533

(B) The general assembly hereby declares that, in providing 1534
in this chapter for registration regarding sexual predators, 1535
habitual sex offenders, and offenders and certain delinquent 1536
children who have committed sexually oriented offenses and for 1537
community notification regarding sexual predators and habitual sex 1538
offenders who are about to be or have been released from 1539
imprisonment, a prison term, or other confinement or detention and 1540
who will live in or near a particular neighborhood or who 1541
otherwise will live in or near a particular neighborhood, it is 1542
the general assembly's intent to protect the safety and general 1543
welfare of the people of this state. The general assembly further 1544
declares that it is the policy of this state to require the 1545
exchange in accordance with this chapter of relevant information 1546

about sexual predators and habitual sex offenders among public 1547
agencies and officials and to authorize the release in accordance 1548
with this chapter of necessary and relevant information about 1549
sexual predators and habitual sex offenders to members of the 1550
general public as a means of assuring public protection and that 1551
the exchange or release of that information is not punitive. 1552

Sec. 2950.03. (A) Each person who has been convicted of, is 1553
convicted of, has pleaded guilty to, or pleads guilty to a 1554
sexually oriented offense and who has a duty to register pursuant 1555
to section 2950.04 of the Revised Code, and each person who is 1556
adjudicated a delinquent child for committing a sexually oriented 1557
offense and who is classified pursuant to section 2152.82 or 1558
division (A) of section 2152.83 of the Revised Code a juvenile sex 1559
offender registrant based on that adjudication, shall be provided 1560
notice in accordance with this section of the offender's or 1561
delinquent child's duty to register under ~~that~~ section 2950.04 of 1562
the Revised Code, the offender's or delinquent child's duty to 1563
provide notice of any change in the offender's or delinquent 1564
child's residence address and to register the new residence 1565
address pursuant to section 2950.05 of the Revised Code, and the 1566
offender's or delinquent child's duty to periodically verify the 1567
offender's or delinquent child's residence address pursuant to 1568
section 2950.06 of the Revised Code. The following official shall 1569
provide the notice to the offender or delinquent child at the 1570
following time: 1571

(1) Regardless of when the offender committed the sexually 1572
oriented offense, if the person is an offender who is sentenced 1573
for the sexually oriented offense to a prison term, a term of 1574
imprisonment, or any other type of confinement, and if, on or 1575
after January 1, 1997, the offender is serving that term or is 1576
under that confinement, the official in charge of the jail, 1577
workhouse, state correctional institution, or other institution in 1578

which the offender serves the prison term, term of imprisonment, 1579
or confinement, or a designee of that official, shall provide the 1580
notice to the offender before the offender is released pursuant to 1581
any type of supervised release or before the offender otherwise is 1582
released from the prison term, term of imprisonment, or 1583
confinement. 1584

(2) Regardless of when the offender committed the sexually 1585
oriented offense, if the person is an offender who is sentenced 1586
for ~~that~~ the sexually oriented offense on or after January 1, 1587
1997, and if division (A)(1) of this section does not apply, the 1588
judge shall provide the notice to the offender at the time of 1589
sentencing. 1590

(3) If the person is an offender who committed the sexually 1591
oriented offense prior to January 1, 1997, if neither division 1592
(A)(1) nor division (A)(2) of this section applies, and if, 1593
immediately prior to January 1, 1997, the offender was a habitual 1594
sex offender who was required to register under Chapter 2950. of 1595
the Revised Code, the chief of police or sheriff with whom the 1596
offender most recently registered under that chapter, in the 1597
circumstances described in this division, shall provide the notice 1598
to the offender. If the offender has registered with a chief of 1599
police or sheriff under Chapter 2950. of the Revised Code as it 1600
existed prior to January 1, 1997, the chief of police or sheriff 1601
with whom the offender most recently registered shall provide the 1602
notice to the offender as soon as possible after January 1, 1997, 1603
as described in division (B)(1) of this section. If the offender 1604
has not registered with a chief of police or sheriff under that 1605
chapter, the failure to register shall constitute a waiver by the 1606
offender of any right to notice under this section. If an offender 1607
described in this division does not receive notice under this 1608
section, the offender is not relieved of the duty to register, the 1609
duty to provide notice of any change in residence address and to 1610

register the new residence address, and the duty to periodically
verify the residence address, as described in division (A) of this
section.

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

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

(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:

(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

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police or sheriff, the chief or sheriff shall provide the notice 1643
as described in division (B)(1)(a) of this section, and all 1644
provisions of this section that apply regarding a notice provided 1645
by an official, official's designee, or judge in that manner shall 1646
be applicable. 1647

(b) If the notice is provided to an offender under division 1648
(A)(1), (2), or (4) of this section, the official, official's 1649
designee, or judge shall require the offender to read and sign a 1650
form prescribed by the bureau of criminal identification and 1651
investigation, stating that the offender's duties to register, to 1652
register a new residence address, and to periodically verify a 1653
residence address have been explained to the offender. If the 1654
offender is unable to read, the official, official's designee, or 1655
judge shall certify on the form that the official, designee, or 1656
judge specifically informed the offender of those duties and that 1657
the offender indicated an understanding of those duties. 1658

(c) If the notice is provided to a delinquent child under 1659
division (A)(5) of this section, the judge shall require the 1660
delinquent child and the delinquent child's parent, guardian, or 1661
custodian to read and sign a form prescribed by the bureau of 1662
criminal identification and investigation, stating that the 1663
delinquent child's duties to register, to register a new residence 1664
address, and to periodically verify a residence address have been 1665
explained to the delinquent child and to the delinquent child's 1666
parent, guardian, or custodian. If the delinquent child or the 1667
delinquent child's parent, guardian, or custodian is unable to 1668
read, the judge shall certify on the form that the judge 1669
specifically informed the delinquent child or the delinquent 1670
child's parent, guardian, or custodian of those duties and that 1671
the delinquent child or the delinquent child's parent, guardian, 1672
or custodian indicated an understanding of those duties. 1673

(d) For any notice provided under division (A) of this 1674

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section, the form used shall contain all of the information 1675
required by the bureau of criminal identification and 1676
investigation, including, but not limited to, a statement that the 1677
subject delinquent child if applicable has been classified by the 1678
adjudicating juvenile court judge or the judge's successor in 1679
office a juvenile sex offender registrant and has a duty to 1680
register, a statement as to whether the offender or delinquent 1681
child has been adjudicated as being a sexual predator relative to 1682
the sexually oriented offense in question, a statement as to 1683
whether the offender or delinquent child has been determined to be 1684
a habitual sex offender, an explanation of the periodic residence 1685
address verification process and of the frequency with which the 1686
offender or delinquent child will be required to verify the 1687
residence address under that process, and a statement that the 1688
offender or delinquent child must verify the residence address at 1689
the times specified under that process or face criminal 1690
prosecution or a delinquent child proceeding. 1691

~~(d)~~(e) If the notice is provided under division (A)(4) of 1692
this section, in addition to all other information contained on 1693
it, the form also shall include a statement that the notice 1694
replaces any notice previously provided to the offender under 1695
division (A)(1) of this section, a statement that the offender's 1696
duties described in this notice supersede the duties described in 1697
the prior notice, and a statement notifying the offender that, if 1698
the offender already has registered under section 2950.04 of the 1699
Revised Code, the offender must register again pursuant to 1700
division (A)(6) of that section. 1701

(f) If the notice is provided under division (A)(5) of this 1702
section, the form, in addition to all other information contained 1703
on it, shall inform the delinquent child and the delinquent 1704
child's parent, guardian, or custodian that, if the delinquent 1705
child fails to comply with the requirements of sections 2950.04, 1706

2950.05, and 2950.06 of the Revised Code, both of the following
apply:

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

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

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

(b) After a chief of police or sheriff has sent a form to an
offender under division (A)(3) of this section, the chief or
sheriff shall send a copy of the form to the bureau of criminal

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identification and investigation in accordance with the procedures 1739
adopted pursuant to section 2950.13 of the Revised Code. 1740

(c) After a delinquent child described in division (A)(5) of 1741
this section and the delinquent child's parent, guardian, or 1742
custodian have signed the form described in division (B)(1) of 1743
this section or the judge has certified on the form that the form 1744
has been explained to the delinquent child or the delinquent 1745
child's parent, guardian, or custodian and that the delinquent 1746
child or the delinquent child's parent, guardian, or custodian 1747
indicated an understanding of the duties and information indicated 1748
on the form, the judge shall give a copy of the form to both the 1749
delinquent child and to the delinquent child's parent, guardian, 1750
or custodian, within three days shall send one copy of the form to 1751
the bureau of criminal identification and investigation in 1752
accordance with the procedures adopted pursuant to section 2950.13 1753
of the Revised Code, and shall send one copy of the form to the 1754
sheriff of the county in which the delinquent child expects to 1755
reside. 1756

(C) The official, official's designee, judge, chief of 1757
police, or sheriff who is required to provide notice to an 1758
offender or delinquent child under division (A) of this section 1759
shall do all of the following: 1760

(1) If the notice is provided under division (A)(1), (2), ~~or~~ 1761
(4), or (5) of this section, the official, designee, or judge 1762
shall determine the offender's or delinquent child's name, 1763
identifying factors, and expected future residence address, shall 1764
obtain the offender's or delinquent child's criminal and 1765
delinquency history, and shall obtain a photograph and the 1766
fingerprints of the offender or delinquent child. If the notice is 1767
provided by a judge under division (A)(2) ~~or~~, (4), or (5) of this 1768
section, the sheriff shall provide the offender's or delinquent 1769
child's criminal and delinquency history to the judge. The 1770

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

(2) If the notice is provided under division (A)(3) of this 1791
section, the chief of police or sheriff shall determine the 1792
offender's name, identifying factors, and residence address, shall 1793
obtain the offender's criminal history from the bureau of criminal 1794
identification and investigation, and, to the extent possible, 1795
shall obtain a photograph and the fingerprints of the offender. 1796
Within three days after receiving this information and these 1797
items, the chief or sheriff shall forward the information and 1798
items to the bureau of criminal identification and investigation 1799
in accordance with the forwarding procedures adopted pursuant to 1800
section 2950.13 of the Revised Code and, in relation to a chief of 1801
police, to the sheriff of the county in which the offender 1802
resides. If it has not already done so, the bureau of criminal 1803

identification and investigation shall forward a copy of the
fingerprints and conviction data so received to the federal bureau
of investigation.

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

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

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

~~(3)(c)~~ If the sexually oriented offense was committed prior
to July 1, 1997, ~~if~~ and neither division (A)(1)(a) nor division
(A)(2)(1)(b) of this section applies, ~~and if an offender who,~~
immediately prior to July 1, 1997, ~~the offender~~ was a habitual sex

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offender who was required to register under Chapter 2950. of the 1835
Revised Code, ~~within seven days of the offender's coming into any~~ 1836
~~county in which the offender resides or temporarily is domiciled~~ 1837
~~for more than seven days, the offender shall register with the~~ 1838
~~sheriff of that county.~~ 1839

(2) Each child who is adjudicated a delinquent child for 1840
committing a sexually oriented offense, who is classified a 1841
juvenile sex offender registrant based on that adjudication, and 1842
who is described in division (A)(2) of this section shall register 1843
personally with the sheriff of the county within seven days of the 1844
delinquent child's coming into a county in which the delinquent 1845
child resides or temporarily is domiciled for more than seven 1846
days. If the delinquent child is committed for the sexually 1847
oriented offense to the department of youth services or to a 1848
secure facility that is not operated by the department, this duty 1849
begins when the delinquent child is discharged or released in any 1850
manner from custody in a department of youth services secure 1851
facility or from the secure facility that is not operated by the 1852
department, if pursuant to the discharge or release the delinquent 1853
child is not committed to any other secure facility of the 1854
department or any other secure facility. The delinquent child does 1855
not have a duty to register under this division while the child is 1856
in a department of youth services secure facility or in a secure 1857
facility that is not operated by the department. 1858

+4)(3) If divisions (A)(1) and (2) of this section do not 1859
apply, each following type of offender and each following type of 1860
delinquent child shall register personally with the sheriff of the 1861
county within seven days of the offender's or delinquent child's 1862
coming into a county in which the offender or delinquent child 1863
resides or temporarily is domiciled for more than seven days: 1864

(a) Regardless of when the sexually oriented offense was 1865
committed, if ~~divisions (A)(1), (2), and (3) of this section do~~ 1866

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~~not apply, if the offender~~ a person who is convicted of ~~or,~~ pleads 1867
guilty to, ~~or is adjudicated a delinquent child for committing a~~ 1868
sexually oriented offense in another state or in a federal court, 1869
military court, or an Indian tribal court, if, on or after July 1, 1870
1997, ~~for offenders, or the effective date of this amendment for~~ 1871
~~delinquent children,~~ the offender or delinquent child moves to and 1872
resides in this state or temporarily is domiciled in this state 1873
for more than seven days, and if, at the time the offender or 1874
delinquent child moves to and resides in this state or temporarily 1875
is domiciled in this state for more than seven days, the offender 1876
or delinquent child has a duty to register as a sex offender under 1877
the law of that other jurisdiction as a result of the conviction 1878
~~or, guilty plea, within seven days of the offender's coming into~~ 1879
~~any county in which the offender resides or temporarily is~~ 1880
~~domiciled for more than seven days, the offender shall register~~ 1881
~~with the sheriff of that county~~ or adjudication. 1882

(5)(b) Regardless of when the sexually oriented offense was 1883
committed, ~~if divisions (A)(1), (2), and (3) of this section do~~ 1884
~~not apply, if the offender~~ a person who is convicted of ~~or,~~ pleads 1885
guilty to, ~~or is adjudicated a delinquent child for committing a~~ 1886
sexually oriented offense in another state or in a federal court, 1887
military court, or an Indian tribal court, if, on or after July 1, 1888
1997, ~~for offenders, or the effective date of this amendment for~~ 1889
~~delinquent children,~~ the offender or delinquent child is released 1890
from imprisonment ~~or,~~ confinement, or detention imposed for that 1891
offense, and if, on or after July 1, 1997, ~~for offenders, or the~~ 1892
~~effective date of this amendment for delinquent children,~~ the 1893
offender or delinquent child moves to and resides in this state or 1894
temporarily is domiciled in this state for more than seven days, 1895
~~within seven days of the offender's coming into any county in~~ 1896
~~which the offender resides or temporarily is domiciled for more~~ 1897
~~than seven days the offender shall register with the sheriff of~~ 1898
~~that county.~~ The duty to register as described in this division 1899

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applies to an offender regardless of whether the offender, at the
time of moving to and residing in this state or temporarily being
domiciled in this state for more than seven days, has a duty to
register as a sex offender under the law of the jurisdiction in
which the conviction or guilty plea occurred. The duty to register
as described in this division applies to a delinquent child only
if the delinquent child, at the time of moving to and residing in
this state or temporarily being domiciled in this state for more
than seven days, has a duty to register as a sex offender under
the law of the jurisdiction in which the delinquent child
adjudication occurred or if, had the delinquent child adjudication
occurred in this state, the adjudicating juvenile court judge
would have been required to issue an order classifying the
delinquent child as a juvenile sex offender registrant pursuant to
section 2152.82 or division (A) of section 2152.83 of the Revised
Code.

~~+6~~(4) If division (A)(1)(a) of this section applies and if,
subsequent to the offender's release, the offender is adjudicated
to be a sexual predator under division (C) of section 2950.09 of
the Revised Code, the offender shall register within seven days of
the adjudication with the sheriff of the county in which the
offender resides or temporarily is domiciled for more than seven
days and shall register with the sheriff of any county in which
the offender subsequently resides or temporarily is domiciled for
more than seven days within seven days of coming into that county.

(5) A person who is adjudicated a delinquent child for
committing a sexually oriented offense is not required to register
under division (A)(2) of this section unless the delinquent child
committed the offense on or after the effective date of this
amendment, is classified a juvenile sex offender registrant by a
juvenile court judge pursuant to an order issued under section
2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code based on

that adjudication, and has a duty to register pursuant to division
(A)(2) of this section.

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

(C) The registration form to be used under divisions (A) and
(B) of this section shall contain the current residence address of
the offender or delinquent child who is registering, the name and
address of the offender's or delinquent child's employer, if the
offender or delinquent child is employed at the time of
registration or if the offender or delinquent child knows at the
time of registration that the offender or delinquent child will be
commencing employment with that employer subsequent to
registration, and any other information required by the bureau of
criminal identification and investigation and shall include the
offender's or delinquent child's photograph. Additionally, if the
offender or delinquent child has been adjudicated as being a
sexual predator relative to the sexually oriented offense in
question and the court has not subsequently determined pursuant to
division (D) of section 2950.09, section 2152.84, or section
2152.85 of the Revised Code that the offender or delinquent child
no longer is a sexual predator or if the ~~sentencing~~ judge
determined pursuant to division (C) of section 2950.09, division

(B) of section 2152.83, section 2152.84, or section 2152.85 of the Revised Code that the offender or delinquent child is a habitual sex offender, and the determination has not been removed pursuant to section 2152.84 or 2152.85 of the Revised Code, the offender or delinquent child shall include on the signed, written registration form all of the following information:

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

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

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

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

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

Sec. 2950.05. (A) If an offender or delinquent child is

required to register pursuant to section 2950.04 of the Revised 1995
Code, the offender or delinquent child, at least seven days prior 1996
to changing the offender's or delinquent child's residence address 1997
during the period during which the offender or delinquent child is 1998
required to register, shall provide written notice of the 1999
residence address change to the sheriff with whom the offender or 2000
delinquent child most recently registered under section 2950.04 of 2001
the Revised Code or under division (B) of this section. 2002

(B) If an offender or delinquent child is required to provide 2003
notice of a residence address change under division (A) of this 2004
section, the offender or delinquent child, at least seven days 2005
prior to changing the residence address, also shall register the 2006
new residence address in the manner described in divisions (B) and 2007
(C) of section 2950.04 of the Revised Code with the sheriff of the 2008
county in which the offender's or delinquent child's new residence 2009
address is located, subject to division (C) of this section. 2010

(C) Divisions (A) and (B) of this section apply to a person 2012
who is required to register pursuant to section 2950.04 of the 2013
Revised Code regardless of whether the new residence address is in 2014
this state or in another state. If the new residence address is in 2015
another state, the person shall register with the appropriate law 2016
enforcement officials in that state in the manner required under 2017
the law of that state and within the earlier of the period of time 2018
required under the law of that state or at least seven days prior 2019
to changing the residence address. 2020

(D)(1) Upon receiving from an offender or delinquent child 2021
pursuant to division (A) of this section notice of a change of the 2022
offender's or delinquent child's residence address, a sheriff 2023
promptly shall forward the new residence address to the bureau of 2024
criminal identification and investigation in accordance with the 2025
forwarding procedures adopted pursuant to section 2950.13 of the 2026

Revised Code if the new residence address is in another state or, 2027
if the offender's or delinquent child's new residence address is 2028
located in another county in this state, to the sheriff of that 2029
county. The bureau shall include all information forwarded to it 2030
under this division in the state registry of sex offenders 2031
established and maintained under section 2950.13 of the Revised 2032
Code and shall forward notice of the offender's or delinquent 2033
child's new residence address to the appropriate officials in the 2034
other state. 2035

(2) When an offender or delinquent child registers a new 2036
residence address pursuant to division (B) of this section, the 2037
sheriff with whom the offender or delinquent child registers and 2038
the bureau of criminal identification and investigation shall 2039
comply with division (D) of section 2950.04 of the Revised Code. 2040

(E)(1) No person who is required to notify a sheriff of a 2041
change of address pursuant to division (A) of this section shall 2042
fail to notify the appropriate sheriff in accordance with that 2043
division. 2044

(2) No person who is required to register a new residence 2045
address with a sheriff or with an official of another state 2046
pursuant to divisions (B) and (C) of this section shall fail to 2047
register with the appropriate sheriff or official of the other 2048
state in accordance with those divisions. 2049

(F) An offender or delinquent child who is required to comply 2050
with divisions (A), (B), and (C) of this section shall do so for 2051
the period of time specified in section 2950.07 of the Revised 2052
Code. 2053

Sec. 2950.06. (A) An offender or delinquent child who is 2054
required to register pursuant to section 2950.04 of the Revised 2055
Code shall periodically verify the offender's or delinquent 2056
child's current residence address in accordance with this section. 2057

The frequency of verification shall be determined in accordance 2058
with division (B) of this section, and the manner of verification 2059
shall be determined in accordance with division (C) of this 2060
section. 2061

(B) The frequency with which an offender or delinquent child 2062
must verify the offender's or delinquent child's current residence 2063
address pursuant to division (A) of this section shall be 2064
determined as follows: 2065

(1) Regardless of when the sexually oriented offense for 2066
which the offender or delinquent child is required to register was 2067
committed, if the offender or delinquent child has been 2068
adjudicated as being a sexual predator relative to the sexually 2069
oriented offense and if the court has not subsequently entered a 2070
determination pursuant to division (D) of section 2950.09, section 2071
2152.84, or section 2152.85 of the Revised Code that the offender 2072
or delinquent child no longer is a sexual predator, the offender 2073
or delinquent child shall verify the offender's or delinquent 2074
child's current residence address in accordance with division (C) 2075
of this section every ninety days after the offender's or 2076
delinquent child's initial registration date during the period the 2077
offender or delinquent child is required to register. 2078

(2) In all circumstances not described in division (B)(1) of 2079
this section, the offender or delinquent child shall verify the 2080
offender's or delinquent child's current residence address in 2081
accordance with division (C) of this section on each anniversary 2082
of the offender's or delinquent child's initial registration date 2083
during the period the offender or delinquent child is required to 2084
register. 2085

(C)(1) An offender or delinquent child who is required to 2086
verify the offender's or delinquent child's current residence 2087
address pursuant to division (A) of this section shall verify the 2088

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address with the sheriff with whom the offender or delinquent 2089
child most recently registered by personally appearing before the 2090
sheriff or a designee of the sheriff, no earlier than ten days 2091
before the date on which the verification is required pursuant to 2092
division (B) of this section and no later than the date so 2093
required for verification, and completing and signing a copy of 2094
the verification form prescribed by the bureau of criminal 2095
identification and investigation. The sheriff or designee shall 2096
sign the completed form and indicate on the form the date on which 2097
it is so completed. The verification required under this division 2098
is complete when the offender or delinquent child personally 2099
appears before the sheriff or designee and completes and signs the 2100
form as described in this division. 2101

(2) To facilitate the verification of an offender's or 2102
delinquent child's current residence address under division (C)(1) 2103
of this section, the sheriff with whom the offender or delinquent 2104
child most recently registered may mail a nonforwardable 2105
verification form prescribed by the bureau of criminal 2106
identification and investigation to the offender's or delinquent 2107
child's last reported address and to the last reported address of 2108
the parents of the delinquent child, with a notice that 2109
conspicuously states that the offender or delinquent child must 2110
personally appear before the sheriff or a designee of the sheriff 2111
to complete the form and the date by which the form must be so 2112
completed. Regardless of whether a sheriff mails a form to an 2113
offender or delinquent child and that child's parents, each 2114
offender or delinquent child who is required to verify the 2115
offender's or delinquent child's current residence address 2116
pursuant to division (A) of this section shall personally appear 2117
before the sheriff or a designee of the sheriff to verify the 2118
address in accordance with division (C)(1) of this section. 2119

(D) The verification form to be used under division (C) of 2120

2121 this section shall contain the current residence address of the
2122 offender or delinquent child, the name and address of the
2123 offender's or delinquent child's employer if the offender or
2124 delinquent child is employed at the time of verification or if the
2125 offender or delinquent child knows at the time of verification
2126 that the offender or delinquent child will be commencing
2127 employment with that employer subsequent to verification, and any
2128 other information required by the bureau of criminal
2129 identification and investigation.

2130 (E) Upon an offender's or delinquent child's personal
2131 appearance and completion of a verification form under division
2132 (C) of this section, a sheriff promptly shall forward a copy of
2133 the verification form to the bureau of criminal identification and
2134 investigation in accordance with the forwarding procedures adopted
2135 by the attorney general pursuant to section 2950.13 of the Revised
2136 Code. The bureau shall include all information forwarded to it
2137 under this division in the state registry of sex offenders
2138 established and maintained under section 2950.13 of the Revised
2139 Code.

2140 (F) No person who is required to verify a current residence
2141 address pursuant to divisions (A) to (C) of this section shall
2142 fail to verify a current residence address in accordance with
2143 those divisions by the date required for the verification as set
2144 forth in division (B) of this section, provided that no person
2145 shall be prosecuted or subjected to a delinquent child proceeding
2146 for a violation of this division, and that no parent, guardian, or
2147 custodian of a delinquent child shall be prosecuted for a
2148 violation of section 2919.24 of the Revised Code based on the
2149 delinquent child's violation of this division, prior to the
2150 expiration of the period of time specified in division (G) of this
2151 section.

2152 (G)(1) If an offender or delinquent child fails to verify a

current residence address as required by divisions (A) to (C) of 2153
this section by the date required for the verification as set 2154
forth in division (B) of this section, the sheriff with whom the 2155
offender or delinquent child is required to verify the current 2156
residence address, on the day following that date required for the 2157
verification, shall send a written warning to the offender or to 2158
the delinquent child and that child's parents, at the offender's 2159
or delinquent child's and that child's parents last known 2160
residence address, regarding the offender's or delinquent child's 2161
duty to verify the offender's or delinquent child's current 2162
residence address. ~~The~~ 2163

The written warning shall identify do all of the following: 2164

(a) Identify the sheriff who sends it and the date on which 2165
it is sent ~~and shall state;~~ 2166

(b) State conspicuously that the offender or delinquent child 2167
has failed to verify the offender's or delinquent child's current 2168
residence address by the date required for the verification~~;~~i 2169
2170

(c) Conspicuously state that the offender or delinquent child 2171
has seven days from the date on which the warning is sent to 2172
verify the current residence address with the sheriff who sent the 2173
warning~~;~~i 2174

(d) Conspicuously state that a failure to timely verify the 2175
current residence address is a felony offense~~;~~i 2176

(e) Conspicuously state that, if the offender or delinquent 2177
child verifies the current residence address with that sheriff 2178
within that seven-day-period, the offender or delinquent child 2179
will not be prosecuted or subjected to a delinquent child 2180
proceeding for a failure to timely verify a current residence 2181
address~~;~~ and the delinquent child's parent, guardian, or custodian 2182
will not be prosecuted based on a failure of the delinquent child 2183

to timely verify an address; 2184

(f) Conspicuously state that, if the offender or delinquent 2185
child does not verify the current residence address with that 2186
sheriff within that seven-day-period, the offender or delinquent 2187
child will be arrested or taken into custody, as appropriate, and 2188
prosecuted or subjected to a delinquent child proceeding for a 2189
failure to timely verify a current residence address and the 2190
delinquent child's parent, guardian, or custodian may be 2191
prosecuted for a violation of section 2919.24 of the Revised Code 2192
based on the delinquent child's failure to timely verify a current 2193
residence address. 2194

(2) If an offender or delinquent child fails to verify a 2195
current residence address as required by divisions (A) to (C) of 2196
this section by the date required for the verification as set 2197
forth in division (B) of this section, the offender or delinquent 2198
child shall not be prosecuted or subjected to a delinquent child 2199
proceeding for a violation of division (F) of this section, and 2200
the delinquent child's parent, guardian, or custodian shall not be 2201
prosecuted for a violation of section 2919.24 of the Revised Code 2202
based on the delinquent child's failure to timely verify a current 2203
residence address, unless the seven-day-period subsequent to that 2204
date that the offender or delinquent child is provided under 2205
division (G)(1) of this section to verify the current residence 2206
address has expired and the offender or delinquent child, prior to 2207
the expiration of that seven-day-period, has not verified the 2208
current residence address. Upon the expiration of the 2209
seven-day-period that the offender or delinquent child is provided 2210
under division (G)(1) of this section to verify the current 2211
residence address has expired, if the offender or delinquent child 2212
has not verified the current residence address, all of the 2213
following apply: 2214

(a) The sheriff with whom the offender or delinquent child is 2215

required to verify the current residence address promptly shall 2216
notify the bureau of criminal identification and investigation of 2217
the failure. 2218

(b) The sheriff with whom the offender or delinquent child is 2219
required to verify the current residence address, the sheriff of 2220
the county in which the offender or delinquent child resides, or a 2221
deputy of the appropriate sheriff, shall locate the offender or 2222
delinquent child, promptly shall seek a warrant for the arrest or 2223
taking into custody, as appropriate, of the offender or delinquent 2224
child for the violation of division (F) of this section and shall 2225
arrest the offender or take the child into custody, as 2226
appropriate. 2227

(c) The offender or delinquent child is subject to 2228
prosecution or a delinquent child proceeding for the violation of 2229
division (F) of this section, and the delinquent child's parent, 2230
guardian, or custodian may be subject to prosecution for a 2231
violation of section 2919.24 of the Revised Code based on the 2232
delinquent child's violation of that division. 2233

(H) A person who is required to verify the person's current 2234
residence address pursuant to divisions (A) to (C) of this section 2235
shall do so for the period of time specified in section 2950.07 of 2236
the Revised Code. 2237

Sec. 2950.07. (A) The duty of an offender who is convicted of 2238
or pleads guilty to, or has been convicted of or pleaded guilty 2239
to, a sexually oriented offense and the duty of a delinquent child 2240
who is adjudicated a delinquent child for committing a sexually 2241
oriented offense and is classified a juvenile sex offense 2242
registrant or who is an out-of-state juvenile sex offender 2243
registrant to comply with sections 2950.04, 2950.05, and 2950.06 2244
of the Revised Code commences on whichever of the following dates 2245
is applicable: 2246

(1) If the offender's duty to register is imposed pursuant to 2247
division (A)(1)(a) of section 2950.04 of the Revised Code, the 2248
offender's duty to comply with those sections commences on the 2249
date of the offender's release from a prison term, a term of 2250
imprisonment, or any other type of confinement or on July 1, 1997, 2251
whichever is later. 2252

(2) If the offender's duty to register is imposed pursuant to 2253
division (A)(2)(b) of section 2950.04 of the Revised Code, the 2254
offender's duty to comply with those sections commences on the 2255
date of entry of the judgment of conviction of the sexually 2256
oriented offense or on July 1, 1997, whichever is later. 2257

(3) If the offender's duty to register is imposed pursuant to 2258
division (A)(3)(c) of section 2950.04 of the Revised Code, the 2259
offender's duty to comply with those sections commences fourteen 2260
days after July 1, 1997. 2261

(4) If the offender's or delinquent child's duty to register 2262
is imposed pursuant to division (A)(4) ~~or (5)(3)(a) or (b)~~ of 2263
section 2950.04 of the Revised Code, the offender's duty to comply 2264
with those sections commences on ~~the effective date of this~~ 2265
~~amendment~~ March 30, 1999, or on the date that the offender begins 2266
to reside or becomes temporarily domiciled in this state, 2267
whichever is later, and the delinquent child's duty commences on 2268
the effective date of this amendment or on the date the delinquent 2269
child begins to reside or becomes temporarily domiciled in this 2270
state, whichever is later. 2271

(5) If the delinquent child's duty to register is imposed 2272
pursuant to division (A)(2) of section 2950.04 of the Revised 2273
Code, if the delinquent child's classification as a juvenile sex 2274
offender registrant is made at the time of the child's disposition 2275
for that sexually oriented offense, and if the delinquent child is 2276
committed for the sexually oriented offense to the department of 2277
youth services or to a secure facility that is not operated by the 2278

department, the delinquent child's duty to comply with those 2279
sections commences on the date of the delinquent child's discharge 2280
or release from custody in the department of youth services secure 2281
facility or from the secure facility not operated by the 2282
department as described in that division. 2283

(6) If the delinquent child's duty to register is imposed 2284
pursuant to division (A)(2) of section 2950.04 of the Revised Code 2285
and if either the delinquent child's classification as a juvenile 2286
sex offender registrant is made at the time of the child's 2287
disposition for that sexually oriented offense and the delinquent 2288
child is not committed for the sexually oriented offense to the 2289
department of youth services or to a secure facility that is not 2290
operated by the department or the child's classification as a 2291
juvenile sex offender registrant is made pursuant to sections 2292
2152.83 of the Revised Code, the delinquent child's duty to comply 2293
with those sections commences on the date of entry of the court's 2294
order that classifies the delinquent child a juvenile sex offender 2295
registrant. 2296

(B) The duty of an offender who is convicted of or pleads 2297
guilty to, or has been convicted of or ~~pleads~~ pleaded guilty to, a 2298
sexually oriented offense and the duty of a delinquent child who 2299
is adjudicated a delinquent child for committing a sexually 2300
oriented offense and is classified a juvenile sex offender 2301
registrant or who is an out-of-state juvenile sex offender 2302
registrant to comply with sections 2950.04, 2950.05, and 2950.06 2303
of the Revised Code continues, after the date of commencement, for 2304
whichever of the following periods is applicable: 2305

(1) Except as otherwise provided in this division, if the 2306
offender or delinquent child has been adjudicated as being a 2307
sexual predator relative to the sexually oriented offense, the 2308
offender's or delinquent child's duty to comply with those 2309
sections continues until the offender's or delinquent child's 2310

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death. If the judge who sentenced the offender or made the 2311
disposition for the delinquent child or that judge's successor in 2312
office subsequently enters a determination pursuant to division 2313
(D) of section 2950.09 or pursuant to section 2152.84 or 2152.85 2314
of the Revised Code that the offender or delinquent child no 2315
longer is a sexual predator, the offender's or delinquent child's 2316
duty to comply with those sections continues for the period of 2317
time that otherwise would have been applicable to the offender or 2318
delinquent child under division (B)(2) or (3) of this section. 2319

(2) If the judge who sentenced the offender or made the 2320
disposition for the delinquent child for committing the sexually 2321
oriented offense, or the successor in office of the juvenile court 2322
judge who made the delinquent child disposition, determined 2323
pursuant to division (E) of section 2950.09 or pursuant to 2324
division (B) of section 2152.83, section 2152.84, or section 2325
2152.85 of the Revised Code that the offender or delinquent child 2326
is a habitual sex offender, the offender's or delinquent child's 2327
duty to comply with those sections continues for twenty years. If 2328
a delinquent child is determined pursuant to division (E) of 2329
section 2950.09 or pursuant to division (B) of section 2152.83, 2330
section 2152.84, or section 2152.85 of the Revised Code to be a 2331
habitual sex offender and if the judge who made the disposition 2332
for the delinquent child or that judge's successor in office 2333
subsequently enters a determination pursuant to section 2152.84 or 2334
2152.85 of the Revised Code that the delinquent child no longer is 2335
a habitual sex offender but remains a juvenile sex offender 2336
registrant, the delinquent child's duty to comply with those 2337
sections continues for the period of time that otherwise would 2338
have been applicable to the delinquent child under division (B)(3) 2339
of this section. 2340

(3) If neither division (B)(1) nor (B)(2) of this section 2341
applies, the offender's or delinquent child's duty to comply with 2342

those sections continues for ten years. If a delinquent child is 2343
classified pursuant to section 2152.82 or 2152.83 of the Revised 2344
Code a juvenile sex offender registrant and if the judge who made 2345
the disposition for the delinquent child or that judge's successor 2346
in office subsequently enters a determination pursuant to section 2347
2152.84 or 2152.85 of the Revised Code that the delinquent child 2348
no longer is to be classified a juvenile sex offender registrant, 2349
the delinquent child's duty to comply with those sections 2350
terminates upon the court's entry of the determination. 2351

(C)(1) If an offender has been convicted of or pleaded guilty 2352
to a sexually oriented offense or a delinquent child has been 2353
adjudicated a delinquent child for committing a sexually oriented 2354
offense and is classified a juvenile sex offender registrant or is 2355
an out-of-state juvenile sex offender registrant, and if the 2356
offender subsequently is convicted of or pleads guilty to another 2357
sexually oriented offense or the delinquent child subsequently is 2358
adjudicated a delinquent child for committing another sexually 2359
oriented offense and is classified a juvenile sex offender 2360
registrant relative to that offense or subsequently is convicted 2361
of or pleads guilty to another sexually oriented offense, the 2362
period of time for which the offender or delinquent child must 2363
comply with the sections specified in division (A) of this section 2364
shall be separately calculated pursuant to divisions (A)(1), (2), 2365
and (3), (4), (5), (6), and (7) of this section for each of the 2366
sexually oriented offenses, and the separately calculated periods 2367
of time shall be complied with independently. 2368

If a delinquent child has been adjudicated a delinquent child 2369
for committing a sexually oriented offense, is classified a 2370
juvenile sex offender registrant or is an out-of-state juvenile 2371
sex offender registrant relative to the offense, and, after 2372
attaining eighteen years of age, subsequently is convicted of or 2373
pleads guilty to another sexually oriented offense, the subsequent 2374

conviction or guilty plea does not limit, affect, or supersede the 2375
duties imposed upon the delinquent child under this chapter 2376
relative to the delinquent child's classification as a juvenile 2377
sex offender registrant or as an out-of-state juvenile sex 2378
offender registrant, and the delinquent child shall comply with 2379
both those duties and the duties imposed under this chapter 2380
relative to the subsequent conviction or guilty plea. 2381

(2) If a delinquent child has been adjudicated a delinquent 2382
child for committing on or after the effective date of this 2383
amendment a sexually oriented offense and is classified a juvenile 2384
sex offender registrant relative to the offense, if the order 2385
containing the classification also contains a determination by the 2386
juvenile judge that the delinquent child is a sexual predator or a 2387
habitual sex offender, and if the juvenile judge or the judge's 2388
successor in office subsequently determines pursuant to section 2389
2152.84 or 2152.85 of the Revised Code that the delinquent child 2390
no longer is a sexual predator or habitual sex offender, the 2391
judge's subsequent determination does not affect the date of 2392
commencement of the delinquent child's duty to comply with 2393
sections 2950.04, 2950.05, and 2950.06 of the Revised Code as 2394
determined under division (A) of this section. 2395

(D) The duty of an offender or delinquent child to register 2396
under this chapter is tolled for any period during which the 2397
offender or delinquent child is returned to confinement in a 2398
secure facility for any reason or imprisoned for an offense when 2399
the confinement in a secure facility or imprisonment occurs 2400
subsequent to the date determined pursuant to division (A) of this 2401
section. The offender's or delinquent child's duty to register 2402
under this chapter resumes upon the offender's or delinquent 2403
child's release from confinement in a secure facility or 2404
imprisonment. 2405

(E) An offender or delinquent child who has been convicted of 2406

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or pleaded guilty to, or has been or is adjudicated a delinquent 2407
child for committing, a sexually oriented offense in another state 2408
or in a federal court, military court, or an Indian tribal court 2409
may apply to the sheriff of the county in which the offender or 2410
delinquent child resides or temporarily is domiciled for credit 2411
against the duty to register for the time that the offender or 2412
delinquent child has complied with the sex offender registration 2413
requirements of another jurisdiction. The sheriff shall grant the 2414
offender or delinquent child credit against the duty to register 2415
for time for which the offender or delinquent child provides 2416
adequate proof that the offender or delinquent child has complied 2417
with the sex offender registration requirements of another 2418
jurisdiction. If the offender or delinquent child disagrees with 2419
the determination of the sheriff, the offender or delinquent child 2420
may appeal the determination to the court of common pleas of the 2421
county in which the offender or delinquent child resides or is 2422
temporarily domiciled. 2423

Sec. 2950.081. (A) Any statements, information, photographs, 2424
or fingerprints that section 2950.04, 2950.05, or 2950.06 of the 2425
Revised Code requires a person to provide, that are provided by a 2426
person who registers, who provides notice of a change of residence 2427
address and registers the new residence address, or who provides 2428
verification of a current residence address pursuant to any 2429
provision of those sections, and that are in the possession of a 2430
county sheriff are public records open to public inspection under 2431
section 149.43 of the Revised Code. 2432

(B) Except when the act that is the basis of a child's 2433
classification as a juvenile sex offender registrant is a 2434
violation of, or an attempt to commit a violation of, section 2435
2903.01, 2903.02, or 2905.01 of the Revised Code that was 2436
committed with a purpose to gratify the sexual needs or desires of 2437
the child, a violation of section 2907.02 of the Revised Code, or 2438

an attempt to commit a violation of that section, the sheriff
shall not cause to be publicly disseminated by means of the
internet any statements, information, photographs, or fingerprints
that are provided by a juvenile sex offender registrant who
registers, who provides notice of a change of residence address
and registers the new residence address, or who provides
verification of a current residence address pursuant to this
chapter and that are in the possession of a county sheriff.

Sec. 2950.09. (A) If a person 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 charging the sexually violent offense,
the conviction of plea of guilty to the specification
automatically classifies the offender as a sexual predator for
purposes of this chapter. If a person is convicted of ~~or~~, pleads
guilty to, or is adjudicated a delinquent child for committing, a
sexually oriented offense in another state, or in a federal court,
military court, or an Indian tribal court and if, as a result of
that conviction ~~or~~, plea of guilty, or adjudication, the person is
required, under the law of the jurisdiction in which the person
was convicted ~~or~~, pleaded guilty, or was adjudicated, to register
as a sex offender until the person's death and is required to
verify the person's address on at least a quarterly basis each
year, that conviction ~~or~~, plea of guilty, or adjudication
automatically classifies the ~~offender~~ person as a sexual predator
for the purposes of this chapter, but the ~~offender~~ person may
challenge that classification pursuant to division (F) of this
section. In all other cases, a person who 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 may be classified as a sexual predator for 2471
purposes of this chapter only in accordance with division (B) or 2472
(C) of this section or, regarding delinquent children, divisions 2473
(B) and (C) of section 2152.83 of the Revised Code. 2474

(B)(1) The judge who is to impose sentence on a person who is 2475
convicted of or pleads guilty to a sexually oriented offense or 2476
the judge who is to impose or has imposed, pursuant to section 2477
2152.82 or division (A) of section 2152.83 of the Revised Code, an 2478
order of disposition upon a child who is adjudicated a delinquent 2479
child for committing on or after the effective date of this 2480
amendment a sexually oriented offense shall conduct a hearing to 2481
determine whether the offender is a sexual predator if any of the 2482
following circumstances apply: 2483

(a) Regardless of when the sexually oriented offense was 2484
committed, if a person the offender is to be sentenced on or after 2485
January 1, 1997, for a sexually oriented offense that is not a 2486
sexually violent offense, or if a person. 2487

(b) Regardless of when the sexually oriented offense was 2488
committed, the offender is to be sentenced on or after January 1, 2489
1997, for a sexually oriented offense that is a sexually violent 2490
offense and a sexually violent predator specification was not 2491
included in the indictment, count in the indictment, or 2492
information charging the sexually violent offense, the judge who 2493
is to impose sentence upon the offender shall conduct a hearing to 2494
determine whether the offender is a sexual predator. The judge. 2495

(c) The delinquent child was classified a juvenile sex 2496
offender registrant pursuant to section 2152.82 or division (A) of 2497
section 2152.83 of the Revised Code. A judge shall not conduct a 2498
hearing under division (B) of this section regarding a delinquent 2499
child unless the delinquent child is in the category of delinquent 2500
children described in this division. 2501

(2) The judge shall conduct the hearing prior to sentencing 2502

and, if the sexually oriented offense is a felony, and if the 2503
hearing is being conducted under division (B)(1)(a) or (b) of this 2504
section, the judge may conduct it as part of the sentencing 2505
hearing required by section 2929.19 of the Revised Code. The court 2506
shall give the offender or delinquent child and the prosecutor who 2507
prosecuted the offender or handled the case against the delinquent 2508
child for the sexually oriented offense notice of the date, time, 2509
and location of the hearing. At the hearing, the offender or 2510
delinquent child and the prosecutor shall have an opportunity to 2511
testify, present evidence, call and examine witnesses and expert 2512
witnesses, and cross-examine witnesses and expert witnesses 2513
regarding the determination as to whether the offender or 2514
delinquent child is a sexual predator. The offender or delinquent 2515
child shall have the right to be represented by counsel and, if 2516
indigent, the right to have counsel appointed to represent the 2517
offender or delinquent child. 2518

~~(2)~~(3) In making a determination under divisions (B)(1) and 2519
~~(3)~~(4) of this section as to whether an offender or delinquent 2520
child is a sexual predator, the judge shall consider all relevant 2521
factors, including, but not limited to, all of the following: 2522

(a) The offender's or delinquent child's age; 2523

(b) The offender's or delinquent child's prior criminal or 2524
delinquency record regarding all offenses, including, but not 2525
limited to, all sexual offenses; 2526

(c) The age of the victim of the sexually oriented offense 2527
for which sentence is to be imposed or the order of disposition is 2528
to be made; 2529

(d) Whether the sexually oriented offense for which sentence 2530
is to be imposed or the order of disposition is to be made 2531
involved multiple victims; 2532

(e) Whether the offender or delinquent child used drugs or 2533

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alcohol to impair the victim of the sexually oriented offense or 2534
to prevent the victim from resisting; 2535

(f) If the offender or delinquent child previously has been 2536
convicted of or pleaded guilty to any, or been adjudicated a 2537
delinquent child for committing an act that if committed by an 2538
adult would be, a criminal offense, whether the offender or 2539
delinquent child completed any sentence or dispositional order 2540
imposed for the prior offense or act and, if the prior offense or 2541
act was a sex offense or a sexually oriented offense, whether the 2542
offender or delinquent child participated in available programs 2543
for sexual offenders; 2544

(g) Any mental illness or mental disability of the offender 2545
or delinquent child; 2546

(h) The nature of the offender's or delinquent child's sexual 2547
conduct, sexual contact, or interaction in a sexual context with 2548
the victim of the sexually oriented offense and whether the sexual 2549
conduct, sexual contact, or interaction in a sexual context was 2550
part of a demonstrated pattern of abuse; 2551

(i) Whether the offender or delinquent child, during the 2552
commission of the sexually oriented offense for which sentence is 2553
to be imposed or the order of disposition is to be made, displayed 2554
cruelty or made one or more threats of cruelty; 2555

(j) Any additional behavioral characteristics that contribute 2556
to the offender's or delinquent child's conduct. 2557

~~(3)~~(4) After reviewing all testimony and evidence presented 2558
at the hearing conducted under division (B)(1) of this section and 2559
the factors specified in division (B)~~(2)~~(3) of this section, the 2560
~~judge~~ court shall determine by clear and convincing evidence 2561
whether the subject offender or delinquent child is a sexual 2562
predator. If the ~~judge~~ court determines that the subject offender 2563
or delinquent child is not a sexual predator, the ~~judge~~ court 2564

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shall specify in the offender's sentence and the judgment of 2565
conviction that contains the sentence or in the delinquent child's 2566
dispositional order, as appropriate, that the judge court has 2567
determined that the offender or delinquent child is not a sexual 2568
predator. If the judge court determines by clear and convincing 2569
evidence that the subject offender or delinquent child is a sexual 2570
predator, the judge court shall specify in the offender's sentence 2571
and the judgment of conviction that contains the sentence or in 2572
the delinquent child's dispositional order, as appropriate, that 2573
the judge court has determined that the offender or delinquent 2574
child is a sexual predator and shall specify that the 2575
determination was pursuant to division (B) of this section. The 2576
offender or delinquent child and the prosecutor who prosecuted the 2577
offender or handled the case against the delinquent child for the 2578
sexually oriented offense in question may appeal as a matter of 2579
right the judge's court's determination under this division as to 2580
whether the offender or delinquent child is, or is not, a sexual 2581
predator. 2582

~~(4)~~(5) A hearing shall not be conducted under division (B) of 2583
this section regarding an offender if the sexually oriented 2584
offense in question is a sexually violent offense and the 2585
indictment, count in the indictment, or information charging the 2586
offense also included a sexually violent predator specification. 2587

(C)(1) If a person was convicted of or pleaded guilty to a 2588
sexually oriented offense prior to January 1, 1997, if the person 2589
was not sentenced for the offense on or after January 1, 1997, and 2590
if, on or after January 1, 1997, the offender is serving a term of 2591
imprisonment in a state correctional institution, the department 2592
of rehabilitation and correction shall determine whether to 2593
recommend that the offender be adjudicated as being a sexual 2594
predator. In making a determination under this division as to 2595
whether to recommend that the offender be adjudicated as being a 2596

sexual predator, the department shall consider all relevant
factors, including, but not limited to, all of the factors
specified in division (B)(2) of this section. If the department
determines that it will recommend that the offender be adjudicated
as being a sexual predator, it immediately shall send the
recommendation to the court that sentenced the offender and shall
enter its determination and recommendation in the offender's
institutional record, and the court shall proceed in accordance
with division (C)(2) of this section.

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

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

determines that the offender is not a sexual predator, it also
shall determine whether the offender previously has been convicted
of or pleaded guilty to a sexually oriented offense other than the
offense in relation to which the hearing is being conducted.

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

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

(ii) If the hearing is to determine whether the offender is a
sexual predator, and if the court determines that the offender is
not a sexual predator but that the offender previously has been
convicted of or pleaded guilty to a sexually oriented offense
other than the offense in relation to which the hearing is being
conducted, it shall include its determination that the offender is
not a sexual predator but is a habitual sex offender in the
offender's institutional record, shall attach the determinations
to the offender's sentence, shall specify that the determinations
were pursuant to division (C) of this section, shall provide a
copy of the determinations to the offender, to the prosecuting
attorney, and to the department of rehabilitation and correction,
and may impose a requirement that the offender be subject to the
community notification provisions regarding the offender's place
of residence that are contained in sections 2950.10 and 2950.11 of
the Revised Code. The offender shall not be subject to those
community notification provisions relative to the sexually
oriented offense in question if the court does not so impose the
requirement described in this division. If the court imposes those

community notification provisions, the offender may appeal the 2693
judge's determination that the offender is a habitual sex 2694
offender. 2695

(iii) If the hearing is to determine whether the offender 2696
previously has been convicted of or pleaded guilty to a sexually 2697
oriented offense other than the offense in relation to which the 2698
hearing is being conducted and whether to impose a requirement 2699
that the offender be subject to the specified community 2700
notification provisions, and if the court determines that the 2701
offender previously has been convicted of or pleaded guilty to 2702
such an offense, the court shall proceed as described in division 2703
(C)(2)(b)(ii) of this section and may impose a community 2704
notification requirement as described in that division. The 2705
offender shall not be subject to the specified community 2706
notification provisions relative to the sexually oriented offense 2707
in question if the court does not so impose the requirement 2708
described in that division. If the court imposes those community 2709
notification provisions, the offender may appeal the judge's 2710
determination that the offender is a habitual sex offender. 2711

(iv) If the court determined without a hearing that the 2712
offender previously has been convicted of or pleaded guilty to a 2713
sexually oriented offense other than the offense in relation to 2714
which the court determined that the offender is not a sexual 2715
predator, and, as such, is a habitual sex offender, and the 2716
hearing is solely to determine whether to impose a requirement 2717
that the offender be subject to the specified community 2718
notification provisions, after the hearing, the court may impose a 2719
community notification requirement as described in division 2720
(C)(2)(b)(ii) of this section. The offender shall not be subject 2721
to the specified community notification provisions relative to the 2722
sexually oriented offense in question if the court does not so 2723
impose the requirement described in that division. If the court 2724

imposes those community notification provisions, the offender may
appeal the judge's determination that the offender is a habitual
sex offender.

(v) If the hearing is to determine whether the offender is a
sexual predator, and if the court determines by clear and
convincing evidence that the offender is a sexual predator, it
shall enter its determination in the offender's institutional
record, shall attach the determination to the offender's sentence,
shall specify that the determination was pursuant to division (C)
of this section, and shall provide a copy of the determination to
the offender, to the prosecuting attorney, and to the department
of rehabilitation and correction. The offender and the prosecutor
may appeal as a matter of right the judge's determination under
this division as to whether the offender is, or is not, a sexual
predator.

(D)(1) Upon Division (D) of this section applies to persons
who have been convicted of or pleaded guilty to a sexually
oriented offense. The procedures set forth in division (D) of this
section regarding a determination of whether a person no longer is
a sexual predator also apply, to the extent specified in section
2152.84 or 2152.85 of the Revised Code, to persons who have been
adjudicated a delinquent child for committing a sexually oriented
offense and have been determined by a juvenile court judge to be a
sexual predator. 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 2152.85
of the Revised Code.

Upon the expiration of the applicable period of time

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specified in division (D)(1)(a) or (b) of this section, an 2757
offender who has been convicted of or pleaded guilty to a sexually 2758
oriented offense and who has been adjudicated as being a sexual 2759
predator relative to the sexually oriented offense in the manner 2760
described in division (B) or (C) of this section may petition the 2761
judge who made the determination that the offender was a sexual 2762
predator, or that judge's successor in office, to enter a 2763
determination that the offender no longer is a sexual predator. 2764
Upon the filing of the petition, the judge may review the prior 2765
sexual predator determination that comprises the sexually violent 2766
predator adjudication, and, upon consideration of all relevant 2767
evidence and information, including, but not limited to, the 2768
factors set forth in division (B)~~(2)~~(3) of this section, either 2769
shall enter a determination that the offender no longer is a 2770
sexual predator or shall enter an order denying the petition. The 2771
~~court~~ judge shall not enter a determination under this division 2772
that the offender no longer is a sexual predator unless the ~~court~~ 2773
judge determines by clear and convincing evidence that the 2774
offender is unlikely to commit a sexually oriented offense in the 2775
future. If the judge enters a determination under this division 2776
that the offender no longer is a sexual predator, the judge shall 2777
notify the bureau of criminal identification and investigation and 2778
the parole board of the determination. Upon receipt of the 2779
notification, the bureau promptly shall notify the sheriff with 2780
whom the offender most recently registered under section 2950.04 2781
or 2950.05 of the Revised Code of the determination that the 2782
offender no longer is a sexual predator. If the judge enters an 2783
order denying the petition, the prior adjudication of the offender 2784
as a sexual predator shall remain in effect. An offender 2785
determined to be a sexual predator in the manner described in 2786
division (B) or (C) of this section may file a petition under this 2787
division after the expiration of the following periods of time: 2788

(a) Regardless of when the sexually oriented offense was 2789

committed, if, on or after January 1, 1997, the offender is
imprisoned or sentenced to a prison term or other confinement for
the sexually oriented offense in relation to which the
determination was made, the offender initially may file the
petition not earlier than one year prior to the offender's release
from the imprisonment, prison term, or other confinement by
discharge, parole, judicial release, or any other final release.
If the offender is sentenced on or after January 1, 1997, for the
sexually oriented offense in relation to which the determination
is made and is not imprisoned or sentenced to a prison term or
other confinement for the sexually oriented offense, the offender
initially may file the petition upon the expiration of one year
after the entry of the offender's judgment of conviction.

(b) After the offender's initial filing of a petition under
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
determine, prior to sentencing, whether the offender previously
has been convicted of or pleaded guilty to a sexually oriented
offense. If a person is classified a juvenile sex offender
registrant, pursuant to section 2152.82 or division (A) of section
2152.83 of the Revised Code, the adjudicating judge shall
determine, prior to entering the order classifying the delinquent
child a juvenile sex offender registrant, whether the delinquent
child previously has been adjudicated a delinquent child for
committing a sexually oriented offense. If the adjudicating judge
has classified the delinquent child under division (A) of section
2152.83 of the Revised Code based on that adjudication a juvenile
sex offender registrant, the judge shall determine, prior to
entering the classification order, whether the delinquent child
previously has been adjudicated a delinquent child for committing
a sexually oriented offense. If the judge determines that the
offender previously has not been convicted of or pleaded guilty to
a sexually oriented offense or that the delinquent child

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previously has not been adjudicated a delinquent child for 2854
committing a sexually oriented offense, the judge shall specify in 2855
the offender's sentence or in the order classifying the delinquent 2856
child a juvenile sex offender registrant that the judge has 2857
determined that the offender or delinquent child is not a habitual 2858
sex offender. If the judge determines that the offender previously 2859
has been convicted of or pleaded guilty to a sexually oriented 2860
offense or that the delinquent child previously has been 2861
adjudicated a delinquent child for committing a sexually oriented 2862
offense, the judge shall specify in the offender's sentence and 2863
the judgment of conviction that contains the sentence or in the 2864
order classifying the delinquent child a juvenile sex offender 2865
registrant that the judge has determined that the offender or 2866
delinquent child is a habitual sex offender and may impose a 2867
requirement in that sentence and judgment of conviction or in that 2868
order that the offender or delinquent child be subject to the 2869
community notification provisions regarding the offender's or 2870
delinquent child's place of residence that are contained in 2871
sections 2950.10 and 2950.11 of the Revised Code. Unless the 2872
habitual sex offender also has been adjudicated as being a sexual 2873
predator relative to the sexually oriented offense in question, 2874
the offender or delinquent child shall ~~not~~ be subject to those 2875
community notification provisions only if the court ~~does not~~ 2876
~~impose~~ imposes the requirement described in this division in the 2877
offender's sentence and the judgment of conviction or in the order 2878
classifying the delinquent child a juvenile sex offender 2879
registrant. 2880

(F)(1) An offender or delinquent child classified as a sexual 2881
predator may petition the court of common pleas or, for a 2882
delinquent child, the juvenile court of the county in which the 2883
offender or delinquent child resides or temporarily is domiciled 2884
to enter a determination that the offender or delinquent child is 2885
not an adjudicated sexual predator in this state for purposes of 2886

the sex offender registration requirements of this chapter or the 2887
community notification provisions contained in sections 2950.10 2888
and 2950.11 of the Revised Code if all of the following apply: 2889

(a) The offender or delinquent child was convicted of ~~or~~, 2890
pleaded guilty to, or was adjudicated a delinquent child for 2891
committing, a sexually oriented offense in another state or in a 2892
federal court, a military court, or an Indian tribal court. 2893

(b) As a result of the conviction ~~or~~, plea of guilty, or 2894
adjudication described in division (F)(1)(a) of this section, the 2895
offender or delinquent child is required under the law of the 2896
jurisdiction under which the offender or delinquent child was 2897
convicted ~~or~~, pleaded guilty, or was adjudicated to register as a 2898
sex offender until the offender's or delinquent child's death and 2899
is required to verify the offender's or delinquent child's address 2900
on at least a quarterly basis each year. 2901

(c) The offender or delinquent child was automatically 2902
classified as a sexual predator under division (A) of this section 2903
in relation to the conviction ~~or~~, guilty plea, or adjudication 2904
described in division (F)(1)(a) of this section. 2905

(2) The court may enter a determination that the offender or 2906
delinquent child filing the petition described in division (F)(1) 2907
of this section is not an adjudicated sexual predator in this 2908
state for purposes of the sex offender registration requirements 2909
of this chapter or the community notification provisions contained 2910
in sections 2950.10 and 2950.11 of the Revised Code only if the 2911
offender or delinquent child proves by clear and convincing 2912
evidence that the requirement of the other jurisdiction that the 2913
offender or delinquent child register as a sex offender until the 2914
offender's or delinquent child's death and the requirement that 2915
the offender or delinquent child verify the offender's or 2916
delinquent child's address on at least a quarterly basis each year 2917
is not substantially similar to a classification as a sexual 2918

predator for purposes of this chapter. 2919

Sec. 2950.10. (A)(1) If a person is convicted of or pleads 2920
guilty to, or has been convicted of or pleaded guilty to, a 2921
sexually oriented offense or a person is adjudicated a delinquent 2922
child for committing a sexually oriented offense and is classified 2923
a juvenile sex offender registrant or is an out-of-state juvenile 2924
sex offender registrant based on that adjudication, if the 2925
offender or delinquent child has been adjudicated as being a 2926
sexual predator relative to the sexually oriented offense, and the 2927
court has not subsequently determined pursuant to division (D) of 2928
section 2950.09, section 2152.84, or section 2152.85 of the 2929
Revised Code that the offender or delinquent child no longer is a 2930
sexual predator or the offender or delinquent child has been 2931
determined pursuant to division (C)(2) or (E) of section 2950.09, 2932
division (B) of section 2152.83, section 2152.84, or section 2933
2152.85 of the Revised Code to be a habitual sex offender and, the 2934
court has imposed a requirement under that division or section 2935
subjecting the habitual sex offender to this section, and the 2936
determination has not been removed pursuant to section 2152.84 or 2937
2152.85 of the Revised Code, if the offender or delinquent child 2938
registers with a sheriff pursuant to section 2950.04 or 2950.05 of 2939
the Revised Code, and if the victim of the sexually oriented 2940
offense has made a request in accordance with rules adopted by the 2941
attorney general that specifies that the victim would like to be 2942
provided the notices described in this section, the sheriff shall 2943
notify the victim of the sexually oriented offense, in writing, 2944
that the offender or delinquent child has registered and shall 2945
include in the notice the offender's or delinquent child's name 2946
and residence address or addresses. The sheriff shall provide the 2947
notice required by this division to the victim at the most recent 2948
residence address available for that victim, not later than 2949
seventy-two hours after the offender or delinquent child registers 2950

with the sheriff.

(2) If a person is convicted of or pleads guilty to, or has been convicted of or pleaded guilty to, a sexually oriented offense or a person is adjudicated a delinquent child for committing a sexually oriented offense and is classified a juvenile sex offender registrant or is an out-of-state juvenile sex offender registrant based on that adjudication, if the offender or delinquent child has been adjudicated as being a sexual predator relative to the sexually oriented offense or sexually violent offense and the court has not subsequently determined pursuant to division (D) of section 2950.09, section 2152.84, or section 2152.85 of the Revised Code that the offender or delinquent child no longer is a sexual predator or the offender or delinquent child has been determined pursuant to division (E) of section 2950.09, division (B) of section 2152.83, section 2152.84, or section 2152.85 of the Revised Code to be a habitual sex offender and, the court has imposed a requirement under that division or section subjecting the habitual sex offender to this section, and the determination has not been removed pursuant to section 2152.84 or 2152.85 of the Revised Code, if the offender or delinquent child registers with a sheriff pursuant to section 2950.04 or 2950.05 of the Revised Code, if the victim of the sexually oriented offense has made a request in accordance with rules adopted by the attorney general that specifies that the victim would like to be provided the notices described in this section, and if the offender or delinquent child notifies the sheriff of a change of residence address pursuant to section 2950.05 of the Revised Code, the sheriff shall notify the victim of the sexually oriented offense, in writing, that the offender's or delinquent child's residence address has changed and shall include in the notice the offender's or delinquent child's name and new residence address or addresses. The sheriff shall provide

the notice required by this division to the victim at the most 2983
recent residence address available for that victim, no later than 2984
seventy-two hours after the offender or delinquent child notifies 2985
the sheriff of the change in the offender's or delinquent child's 2986
residence address. 2987

(3) If ~~an offender~~ a person is convicted of or pleads guilty 2988
to, or has been convicted of or pleaded guilty to, a sexually 2989
oriented offense or a person is adjudicated a delinquent child for 2990
committing a sexually oriented offense and is classified a 2991
juvenile sex offender registrant or is an out-of-state juvenile 2992
sex offender registrant based on that adjudication, and if the 2993
offender or delinquent child is adjudicated as being a sexual 2994
predator relative to the sexually oriented offense or the offender 2995
or delinquent child is determined pursuant to division (E) of 2996
section 2950.09, division (B) of section 2152.83, section 2152.84, 2997
or section 2152.85 of the Revised Code to be a habitual sex 2998
offender and is made subject to this section, the victim of the 2999
offense may make a request in accordance with rules adopted by the 3000
attorney general pursuant to section 2950.13 of the Revised Code 3001
that specifies that the victim would like to be provided the 3002
notices described in divisions (A)(1) and (2) of this section. If 3003
the victim makes a request in accordance with those rules, the 3004
sheriff described in divisions (A)(1) and (2) of this section 3005
shall provide the victim with the notices described in those 3006
divisions. 3007

(4) If a victim makes a request as described in division 3008
(A)(3) of this section that specifies that the victim would like 3009
to be provided the notices described in divisions (A)(1) and (2) 3010
of this section, all information a sheriff obtains regarding the 3011
victim from or as a result of the request is confidential, and the 3012
information is not a public record open for inspection under 3013
section 149.43 of the Revised Code. 3014

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

(B) A victim of a sexually oriented offense is not entitled to be provided any notice described in division (A)(1) or (2) of this section unless the offender or delinquent child is adjudicated as being a sexual predator relative to the sexually oriented offense and the court has not subsequently determined pursuant to division ~~(E)~~(D) of section 2950.09, section 2152.84, or section 2152.85 of the Revised Code that the offender or delinquent child no longer is a sexual predator or the offender or delinquent child has been determined pursuant to division (E) of section 2950.09, division (B) of section 2152.83, section 2152.84, or section 2152.85 of the Revised Code to be a habitual sex offender ~~and~~, the court has imposed a requirement under that division or section subjecting the habitual sex offender to this section, and the determination has not been removed pursuant to section 2152.84 or 2152.85 of the Revised Code. A victim of a sexually oriented offense is not entitled to any notice described in division (A)(1) or (2) of this section unless the victim makes a request in accordance with rules adopted by the attorney general pursuant to section 2950.13 of the Revised Code that specifies that the victim would like to be provided the notices described in divisions (A)(1) and (2) of this section. This division does not affect any rights of a victim of a sexually oriented offense to be provided notice regarding an offender or delinquent child that are described in Chapter ~~2950.~~ 2930. of the Revised Code.

Sec. 2950.11. (A) As used in this section, "specified geographical notification area" means the geographic area or areas within which the attorney general, by rule adopted under section 2950.13 of the Revised Code, requires the notice described in

division (B) of this section to be given to the persons identified 3047
in divisions (A)(2) to (8) of this section. If a person is 3048
convicted of or pleads guilty to, or has been convicted of or 3049
pleaded guilty to, a sexually oriented offense or a person is 3050
adjudicated a delinquent child for committing a sexually oriented 3051
offense and is classified a juvenile sex offender registrant or is 3052
an out-of-state juvenile sex offender registrant based on that 3053
adjudication, and if the offender or delinquent child has been 3054
adjudicated as being a sexual predator relative to the sexually 3055
oriented offense and the court has not subsequently determined 3056
pursuant to division (D) of section 2950.09, section 2152.84, or 3057
section 2152.85 of the Revised Code that the offender or 3058
delinquent child no longer is a sexual predator or the offender or 3059
delinquent child has been determined pursuant to division (C)(2) 3060
or (E) of section 2950.09, division (B) of section 2152.83, 3061
section 2152.84, or section 2152.85 of the Revised Code to be a 3062
habitual sex offender and, the court has imposed a requirement 3063
under that division or section subjecting the habitual sex 3064
offender to this section, and the determination has not been 3065
removed pursuant to section 2152.84 or 2152.85 of the Revised 3066
Code, the sheriff with whom the offender or delinquent child has 3067
most recently registered under section 2950.04 or 2950.05 of the 3068
Revised Code, within the period of time specified in division (C) 3069
of this section, shall provide a written notice containing the 3070
information set forth in division (B) of this section to all of 3071
the following persons: 3072

(1) All occupants of residences adjacent to the offender's or 3073
delinquent child's place of residence that are located within the 3074
county served by the sheriff and all additional neighbors of the 3075
offender or delinquent child who are within any category that the 3076
attorney general by rule adopted under section 2950.13 of the 3077
Revised Code requires to be provided the notice and who reside 3078

within the county served by the sheriff; 3079

(2) The executive director of the public children services 3080
agency that has jurisdiction within the specified geographical 3081
notification area and that is located within the county served by 3082
the sheriff; 3083

(3)(a) The superintendent of each board of education of a 3084
school district that has schools within the specified geographical 3085
notification area and that is located within the county served by 3086
the sheriff; 3087

(b) The principal of the school within the specified 3088
geographical notification area and within the county served by the 3089
sheriff that the delinquent child attends; 3090

(c) If the delinquent child attends a school outside of the 3091
specified geographical notification area or outside of the school 3092
district where the delinquent child resides, the superintendent of 3093
the board of education of a school district that governs the 3094
school that the delinquent child attends and the principal of the 3095
school that the delinquent child attends. 3096

(4)(a) The appointing or hiring officer of each chartered 3097
nonpublic school located within the specified geographical 3098
notification area and within the county served by the sheriff or 3099
of each other school located within the specified geographical 3100
notification area and within the county served by the sheriff and 3101
that is not operated by a board of education described in division 3102
(A)(3) of this section; 3103

(b) Regardless of the location of the school, the appointing 3104
or hiring officer of a chartered nonpublic school that the 3105
delinquent child attends. 3106

(5) The director, head teacher, elementary principal, or site 3107
administrator of each preschool program governed by Chapter 3301. 3108
of the Revised Code that is located within the specified 3109

geographical notification area and within the county served by the 3110
sheriff; 3111

(6) The administrator of each child day-care center or type A 3112
family day-care home that is located within the specified 3113
geographical notification area and within the county served by the 3114
sheriff, and the provider of each certified type B family day-care 3115
home that is located within the specified geographical 3116
notification area and within the county served by the sheriff. As 3117
used in this division, "child day-care center," "type A family 3118
day-care home," and "certified type B family day-care home" have 3119
the same meanings as in section 5104.01 of the Revised Code. 3120

(7) The president or other chief administrative officer of 3121
each institution of higher education, as defined in section 3122
2907.03 of the Revised Code, that is located within the specified 3123
geographical notification area and within the county served by the 3124
sheriff, and the chief law enforcement officer of the state 3125
university law enforcement agency or campus police department 3126
established under section 3345.04 or 1713.50 of the Revised Code, 3127
if any, that serves that institution; 3128

(8) The sheriff of each county that includes any portion of 3129
the specified geographical notification area; 3130

(9) If the offender or delinquent child resides within the 3131
county served by the sheriff, the chief of police, marshal, or 3132
other chief law enforcement officer of the municipal corporation 3133
in which the offender or delinquent child resides or, if the 3134
offender or delinquent child resides in an unincorporated area, 3135
the constable or chief of the police department or police district 3136
police force of the township in which the offender or delinquent 3137
child resides. 3138

(B) The notice required under division (A) of this section 3139
shall include all of the following information regarding the 3140

subject offender or delinquent child: 3141

(1) The offender's or delinquent child's name; 3142

(2) The address or addresses at which the offender or 3143
delinquent child resides; 3144

(3) The sexually oriented offense of which the offender was 3145
convicted ~~or~~, to which the offender pleaded guilty, or for which 3146
the child was adjudicated a delinquent child; 3147

(4) A statement that the offender or delinquent child has 3148
been adjudicated as being a sexual predator and that, as of the 3149
date of the notice, the court has not entered a determination that 3150
the offender or delinquent child no longer is a sexual predator, 3151
or a statement that the sentencing or reviewing judge has 3152
determined that the offender or delinquent child is a habitual sex 3153
offender and that, as of the date of the notice, the determination 3154
has not been removed pursuant to section 2152.84 or 2152.85 of the 3155
Revised Code. 3156

(C) If a sheriff with whom an offender or delinquent child 3157
registers under section 2950.04 or 2950.05 of the Revised Code is 3158
required by division (A) of this section to provide notices 3159
regarding an offender or delinquent child and if, pursuant to that 3160
requirement, the sheriff provides a notice to a sheriff of one or 3161
more other counties in accordance with division (A)(8) of this 3162
section, the sheriff of each of the other counties who is provided 3163
notice under division (A)(8) of this section shall provide the 3164
notices described in divisions (A)(1) to (7) and (A)(9) of this 3165
section to each person or entity identified within those divisions 3166
that is located within the geographical notification area and 3167
within the county served by the sheriff in question. 3168

(D)(1) A sheriff required by division (A) or (C) of this 3169
section to provide notices regarding an offender or delinquent 3170
child shall provide the notice to the neighbors that is described 3171

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in division (A)(1) of this section and the notices to law 3172
enforcement personnel that are described in divisions (A)(8) and 3173
(9) of this section no later than seventy-two hours after the 3174
offender or delinquent child registers with the sheriff or, if the 3175
sheriff is required by division (C) to provide the notices, no 3176
later than seventy-two hours after the sheriff is provided the 3177
notice described in division (A)(8) of this section. 3178

A sheriff required by division (A) or (C) of this section to 3179
provide notices regarding an offender or delinquent child shall 3180
provide the notices to all other specified persons that are 3181
described in divisions (A)(2) to (7) of this section not later 3182
than seven days after the offender or delinquent child registers 3183
with the sheriff, if the sheriff is required by division (C) to 3184
provide the notices, no later than seventy-two hours after the 3185
sheriff is provided the notice described in division (A)(8) of 3186
this section. 3187

(2) If an offender or delinquent child in relation to whom 3188
division (A) of this section applies verifies the offender's or 3189
delinquent child's current residence address with a sheriff 3190
pursuant to section 2950.06 of the Revised Code, the sheriff may 3191
provide a written notice containing the information set forth in 3192
division (B) of this section to the persons identified in 3193
divisions (A)(1) to (9) of this section. If a sheriff provides a 3194
notice pursuant to this division to the sheriff of one or more 3195
other counties in accordance with division (A)(8) of this section, 3196
the sheriff of each of the other counties who is provided the 3197
notice under division (A)(8) of this section may provide, but is 3198
not required to provide, a written notice containing the 3199
information set forth in division (B) of this section to the 3200
persons identified in divisions (A)(1) to (7) and (A)(9) of this 3201
section. 3202

(E) All information that a sheriff possesses regarding a 3203

sexual predator or a habitual sex offender that is described in
division (B) of this section and that must be provided in a notice
required under division (A) or (C) of this section or that may be
provided in a notice authorized under division (D)(2) of this
section is a public record that is open to inspection under
section 149.43 of the Revised Code.

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

(F) The notification provisions of this section do not apply
regarding a person who 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, who
has not been adjudicated as being a sexual predator relative to
that sexually oriented offense, and who is determined pursuant to
division (C)(2) or (E) of section 2950.09, division (B) of section
2152.83, section 2152.84, or section 2152.85 of the Revised Code
to be a habitual sex offender unless the sentencing or reviewing
court imposes a requirement in the offender's sentence and in the
judgment of conviction that contains the sentence or in the
delinquent child's adjudication, or imposes a requirement as
described in division (C)(2) of section 2950.09 of the Revised
Code, that subjects the offender or the delinquent child to the
provisions of this section.

(G) The department of job and family services shall compile,

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maintain, and update in January and July of each year, a list of
all agencies, centers, or homes of a type described in division
(A)(2) or (6) of this section that contains the name of each
agency, center, or home of that type, the county in which it is
located, its address and telephone number, and the name of an
administrative officer or employee of the agency, center, or home.
The department of education shall compile, maintain, and update in
January and July of each year, a list of all boards of education,
schools, or programs of a type described in division (A)(3), (4),
or (5) of this section that contains the name of each board of
education, school, or program of that type, the county in which it
is located, its address and telephone number, the name of the
superintendent of the board or of an administrative officer or
employee of the school or program, and, in relation to a board of
education, the county or counties in which each of its schools is
located and the address of each such school. The Ohio board of
regents shall compile, maintain, and update in January and July of
each year, a list of all institutions of a type described in
division (A)(7) of this section that contains the name of each
such institution, the county in which it is located, its address
and telephone number, and the name of its president or other chief
administrative officer. A sheriff required by division (A) or (C)
of this section, or authorized by division (D)(2) of this section,
to provide notices regarding an offender or delinquent child, or a
designee of a sheriff of that type, may request the department of
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. 3269

Sec. 2950.12. (A) Except as provided in division (B) of this 3270
section, any of the following persons shall be immune from 3271
liability in a civil action to recover damages for injury, death, 3272
or loss to person or property allegedly caused by an act or 3273
omission in connection with a power, duty, responsibility, or 3274
authorization under this chapter or under rules adopted under 3275
authority of this chapter: 3276

(1) An officer or employee of the bureau of criminal 3277
identification and investigation; 3278

(2) The attorney general, a chief of police, marshal, or 3279
other chief law enforcement officer of a municipal corporation, a 3280
sheriff, a constable or chief of police of a township police 3281
department or police district police force, and a deputy, officer, 3282
or employee of the office of the attorney general, the law 3283
enforcement agency served by the marshal or the municipal or 3284
township chief, the office of the sheriff, or the constable; 3285

(3) A prosecutor and an officer or employee of the office of 3286
a prosecutor; 3287

(4) A supervising officer and an officer or employee of the 3288
adult parole authority of the department of rehabilitation and 3289
correction; 3290

(5) A supervising officer and an officer or employee of the 3291
department of youth services; 3292

(6) A supervisor and a caseworker or employee of a public 3293
children services agency acting pursuant to section 5153.16 of the 3294
Revised Code; 3295

(7) A person identified in division (A)(2), (3), (4), (5), 3296
(6), or (7) of section 2950.11 of the Revised Code or the agent of 3297
that person. 3298

(B) The immunity described in division (A) of this section 3299
does not apply to a person described in divisions (A)(1) to ~~(5)~~(7) 3300
of this section if, in relation to the act or omission in 3301
question, any of the following applies: 3302

(1) The act or omission was manifestly outside the scope of 3303
the person's employment or official responsibilities. 3304

(2) The act or omission was with malicious purpose, in bad 3305
faith, or in a wanton or reckless manner. 3306

(3) Liability for the act or omission is expressly imposed by 3307
a section of the Revised Code. 3308

Sec. 2950.13. (A) The attorney general shall do all of the 3309
following: 3310

(1) No later than July 1, 1997, establish and maintain a 3311
state registry of sex offenders that is housed at the bureau of 3312
criminal identification and investigation and that contains all of 3313
the registration, change of residence address, and verification 3314
information the bureau receives pursuant to sections 2950.04, 3315
2950.05, and 2950.06 of the Revised Code regarding a person who is 3316
convicted of or pleads guilty to, or has been convicted of or 3317
pleaded guilty to, a sexually oriented offense or a person who is 3318
adjudicated a delinquent child for committing a sexually oriented 3319
offense and is classified a juvenile sex offender registrant or is 3320
an out-of-state juvenile sex offender registrant based on that 3321
adjudication, and all of the information the bureau receives 3322
pursuant to section 2950.14 of the Revised Code; 3323

(2) In consultation with local law enforcement 3324
representatives and no later than July 1, 1997, adopt rules that 3325
contain guidelines necessary for the implementation of this 3326
chapter; 3327

(3) In consultation with local law enforcement 3328

representatives and no later than July 1, 1997, adopt rules for
the implementation and administration of the provisions contained
in section 2950.11 of the Revised Code that pertain to the
notification of neighbors of ~~a person~~ an offender or a delinquent
child who has committed a sexually oriented offense and has been
adjudicated as being a ~~sexually violent~~ sexual predator or
determined to be a habitual sex offender, and rules that prescribe
a manner in which victims of a sexually oriented offense committed
by ~~a person~~ an offender or a delinquent child who has been
adjudicated as being a sexual predator or determined to be a
habitual sex offender may make a request that specifies that the
victim would like to be provided the notices described in
divisions (A)(1) and (2) of section 2950.10 of the Revised Code;

(4) In consultation with local law enforcement
representatives and through the bureau of criminal identification
and investigation, prescribe the forms to be used by judges and
officials pursuant to section 2950.03 of the Revised Code to
advise offenders and delinquent children of their duties of
registration, notification of a change of residence address and
registration of the new residence address, and residence address
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; 3361

(7) Through the bureau of criminal identification and 3362
investigation, maintain the verification forms returned under the 3363
residence address verification mechanism set forth in section 3364
2950.06 of the Revised Code; 3365

(8) In consultation with representatives of the officials, 3366
judges, and sheriffs, adopt procedures for officials, judges, and 3367
sheriffs to use to forward information, photographs, and 3368
fingerprints to the bureau of criminal identification and 3369
investigation pursuant to the requirements of sections 2950.03, 3370
2950.04, 2950.05, and 2950.06 of the Revised Code; 3371

(9) In consultation with the director of education, the 3372
director of job and family services, and the director of 3373
rehabilitation and correction and no later than July 1, 1997, 3374
adopt rules that contain guidelines to be followed by boards of 3375
education of a school district, chartered nonpublic schools or 3376
other schools not operated by a board of education, preschool 3377
programs, child day-care centers, type A family day-care homes, 3378
certified type B family day-care homes, and institutions of higher 3379
education regarding the proper use and administration of 3380
information received pursuant to section 2950.11 of the Revised 3381
Code relative to ~~a person~~ an offender or delinquent child who has 3382
been adjudicated as being a sexual predator or determined to be a 3383
habitual sex offender; 3384

(10) In consultation with local law enforcement 3385
representatives and no later than July 1, 1997, adopt rules that 3386
designate a geographic area or areas within which the notice 3387
described in division (B) of section 2950.11 of the Revised Code 3388
must be given to the persons identified in divisions (A)(2) to (8) 3389
of that section. 3390

(B) The attorney general, in consultation with local law 3391

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

(B) The department of rehabilitation and correction and the
department of youth services shall provide all of the following
information to the bureau of criminal identification and
investigation regarding an offender or delinquent child described

<u>in division (A) of this section:</u>	3423
(1) The offender's <u>or delinquent child's</u> name and any aliases	3424
used by the offender <u>or delinquent child</u> ;	3425
(2) All identifying factors concerning the offender <u>or</u>	3426
<u>delinquent child</u> ;	3427
(3) The offender's <u>or delinquent child's</u> anticipated future	3428
residence;	3429
(4) The offense <u>and delinquency</u> history of the offender <u>or</u>	3430
<u>delinquent child</u> ;	3431
(5) Whether the offender <u>or delinquent child</u> was treated for	3432
a mental abnormality or personality disorder while under the	3433
custody and control of the department;	3434
(6) Any other information that the bureau indicates is	3435
relevant and that the department possesses.	3436
(B) (C) Upon receipt of the information described in division	3437
(A) (B) of this section regarding an offender <u>or delinquent child</u> ,	3438
the bureau immediately shall enter the information into the state	3439
registry of sexual <u>sex</u> offenders that the bureau maintains	3440
pursuant to section 2950.13 of the Revised Code and into the	3441
records that the bureau maintains pursuant to division (A) of	3442
section 109.57 of the Revised Code.	3443
Sec. 2950.99. (A) Whoever violates a prohibition in section	3444
2950.04, 2950.05, or 2950.06 of the Revised Code is guilty of a	3445
felony of the fifth degree if the most serious sexually oriented	3446
offense that was the basis of the registration, change of address	3447
notification, or address verification requirement that was	3448
violated under the prohibition is a felony <u>if committed by an</u>	3449
<u>adult</u> , and a misdemeanor of the first degree if the most serious	3450
sexually oriented offense that was the basis of the registration,	3451
change of address notification, or address verification	3452

requirement that was violated under the prohibition is a 3453
misdemeanor if committed by an adult. In addition to any penalty 3454
or sanction imposed for the violation, if the offender or 3455
delinquent child is on probation or parole, is subject to one or 3456
more post-release control sanctions, or is subject to any other 3457
type of supervised release at the time of the violation, the 3458
violation shall constitute a violation of the terms and conditions 3459
of the probation, parole, post-release control sanction, or other 3460
type of supervised release. 3461

(B) If a person violates a prohibition in section 2950.04, 3462
2950.05, or 2950.06 of the Revised Code that applies to the person 3463
as a result of the person being adjudicated a delinquent child and 3464
being classified a juvenile sex offender registrant or is an 3465
out-of-state juvenile sex offender registrant, both of the 3466
following apply: 3467

(1) If the violation occurs while the person is under 3468
eighteen years of age, the person is subject to proceedings under 3469
Chapter 2152. of the Revised Code based on the violation. 3470

(2) If the violation occurs while the person is eighteen 3471
years of age or older, the person is subject to criminal 3472
prosecution based on the violation. 3473

Sec. 5139.13. (A) The department of youth services shall do 3474
all of the following: 3475

~~(A)~~(1) Control and manage all institutions for the 3476
rehabilitation of delinquent children and youthful offenders that 3477
are operated by the state, except where the control and management 3478
of an institution is vested by law in another agency; 3479

~~(B)~~(2) Provide treatment and training for children committed 3480
to the department and assigned by the department to various 3481
institutions under its control and management, including, but not 3482

limited to, for a child committed to it for an act that is a 3483
sexually oriented offense, treatment that is appropriate for a 3484
child who commits an act that is a sexually oriented offense and 3485
that is intended to ensure that the child does not commit any 3486
subsequent act that is a sexually oriented offense; 3487

~~(C)~~(3) Establish and maintain appropriate reception centers 3488
for the reception of children committed to the department and 3489
employ competent persons to have charge of those centers and to 3490
conduct investigations; 3491

~~(D)~~(4) Establish and maintain any other facilities necessary 3492
for the training, treatment, and rehabilitation of children 3493
committed to the department. 3494

(B) As used in this section, "sexually oriented offense" has 3495
the same meaning as in section 2950.01 of the Revised Code. 3496

Section 2. That existing sections 2151.23, 2152.02, 2152.19, 3497
2152.22, 2919.24, 2950.01, 2950.02, 2950.03, 2950.04, 2950.05, 3498
2950.06, 2950.07, 2950.09, 2950.10, 2950.11, 2950.12, 2950.13, 3499
2950.14, 2950.99, and 5139.13 of the Revised Code are hereby 3500
repealed. 3501

Section 3. Sections 1 and 2 of this act shall take effect on 3502
January 1, 2002, or the earliest date permitted by law, whichever 3503
is later. 3504

Section 4. Section 2151.23 of the Revised Code is presented 3505
in this act as a composite of the section as amended by Am. Sub. 3506
S.B. 179, Am. Sub. S.B. 180, and Sub. S.B. 218 of the 123rd 3507
General Assembly. The General Assembly, applying the principle 3508
stated in division (B) of section 1.52 of the Revised Code that 3509
amendments are to be harmonized if reasonably capable of 3510
simultaneous operation, finds that the composite is the resulting 3511

version of the section in effect prior to the effective date of 3512
the section as presented in this act. 3513

Section 2152.02 of the Revised Code, as presented in this 3514
act, includes matter that was amended into former section 2151.02 3515
of the Revised Code by S.B. 218 of the 123rd General Assembly. 3516
Paragraphs of former section 2151.02 of the Revised Code were 3517
transferred to section 2152.02 of the Revised Code by S.B. 179 of 3518
the 123rd General Assembly as part of its general revision of the 3519
juvenile sentencing laws. The General Assembly, applying the 3520
principle stated in division (B) of section 1.52 of the Revised 3521
Code that amendments are to be harmonized if reasonably capable of 3522
simultaneous operation, finds that the version of section 2152.02 3523
of the Revised Code presented in this act is the resulting version 3524
of the section in effect prior to the date of the section as 3525
presented in this act. 3526