

As Reported by the House Criminal Justice Committee

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H. B. No. 473

**Representatives Hagan, Seitz, Latta, Hughes, Widowfield, McGregor, Slaby,
Carano, Collier, DeGeeter, Willamowski**

A B I L L

To amend section 2950.05 of the Revised Code to 1
revise the Sex Offender Registration and 2
Notification Law's "change of address" 3
requirements relative to persons who do not have 4
knowledge of a change in residence, school, 5
institution of higher education, or place of 6
employment address sufficiently in advance of the 7
change to comply with the requirements' deadlines 8
and persons whose residence address change is not 9
to a fixed address. 10

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

Section 1. That section 2950.05 of the Revised Code be 11
amended to read as follows: 12

Sec. 2950.05. (A) If an offender or delinquent child is 13
required to register pursuant to section 2950.04 or 2950.041 of 14
the Revised Code, the offender or delinquent child, at least 15
twenty days prior to changing the offender's or delinquent child's 16
residence address, or the offender, at least twenty days prior to 17
changing the address of the offender's school or institution of 18
higher education and not later than five days after changing the 19

address of the offender's place of employment, during the period 20
during which the offender or delinquent child is required to 21
register, shall provide written notice of the residence, school, 22
institution of higher education, or place of employment address 23
change, as applicable, to the sheriff with whom the offender or 24
delinquent child most recently registered the address under 25
section 2950.04 or 2950.041 of the Revised Code or under division 26
(B) of this section. If a residence address change is not to a 27
fixed address, the offender or delinquent child shall include in 28
that notice a detailed description of the place or places at which 29
the offender or delinquent child intends to stay and, not later 30
than the end of the first business day immediately following the 31
day on which the person obtains a fixed residence address, shall 32
provide that sheriff written notice of that fixed residence 33
address. If a person whose residence address change is not to a 34
fixed address describes in a notice under this division the place 35
or places at which the person intends to stay, for purposes of 36
divisions (C) to (H) of this section, sections 2950.06 to 2950.13 37
of the Revised Code, and sections 311.171 and 2919.24 of the 38
Revised Code, the place or places so described in the notice shall 39
be considered the person's residence address and registered 40
residence address, until the person provides the written notice of 41
a fixed residence address as described in this division. 42

(B) If an offender is required to provide notice of a 43
residence, school, institution of higher education, or place of 44
employment address change under division (A) of this section, or a 45
delinquent child is required to provide notice of a residence 46
address change under that division, the offender or delinquent 47
child, at least twenty days prior to changing the residence, 48
school, or institution of higher education address and not later 49
than five days after changing the place of employment address, as 50
applicable, also shall register the new address in the manner 51

described in divisions (B) and (C) of section 2950.04 or 2950.041 52
of the Revised Code, whichever is applicable, with the sheriff of 53
the county in which the offender's or delinquent child's new 54
address is located, subject to division (C) of this section. If a 55
residence address change is not to a fixed address, the offender 56
or delinquent child shall include in the registration a detailed 57
description of the place or places at which the offender or 58
delinquent child intends to stay and, not later than the end of 59
the first business day immediately following the day on which the 60
person obtains a fixed residence address, shall register with that 61
sheriff that fixed residence address. If a person whose residence 62
address change is not to a fixed address describes in a 63
registration under this division the place or places at which the 64
person intends to stay, for purposes of divisions (C) to (H) of 65
this section, sections 2950.06 to 2950.13 of the Revised Code, and 66
sections 311.171 and 2919.24 of the Revised Code, the place or 67
places so described in the registration shall be considered the 68
person's residence address and registered residence address, until 69
the person registers a fixed residence address as described in 70
this division. 71

(C) Divisions (A) and (B) of this section apply to a person 72
who is required to register pursuant to section 2950.04 or 73
2950.041 of the Revised Code regardless of whether the new 74
residence, school, institution of higher education, or place of 75
employment address is in this state or in another state. If the 76
new address is in another state, the person shall register with 77
the appropriate law enforcement officials in that state in the 78
manner required under the law of that state and within the earlier 79
of the period of time required under the law of that state or at 80
least seven days prior to changing the address. 81

(D)(1) Upon receiving from an offender or delinquent child 82
pursuant to division (A) of this section notice of a change of the 83

offender's residence, school, institution of higher education, or 84
place of employment address or the delinquent child's residence 85
address, a sheriff promptly shall forward the new address to the 86
bureau of criminal identification and investigation in accordance 87
with the forwarding procedures adopted pursuant to section 2950.13 88
of the Revised Code if the new address is in another state or, if 89
the new address is located in another county in this state, to the 90
sheriff of that county. The bureau shall include all information 91
forwarded to it under this division in the state registry of sex 92
offenders and child-victim offenders established and maintained 93
under section 2950.13 of the Revised Code and shall forward notice 94
of the offender's or delinquent child's new residence, school, 95
institution of higher education, or place of employment address, 96
as applicable, to the appropriate officials in the other state. 97

(2) When an offender registers a new residence, school, 98
institution of higher education, or place of employment address or 99
a delinquent child registers a new residence address pursuant to 100
division (B) of this section, the sheriff with whom the offender 101
or delinquent child registers and the bureau of criminal 102
identification and investigation shall comply with division (D) of 103
section 2950.04 or 2950.041 of the Revised Code, whichever is 104
applicable. 105

(E)(1) No person who is required to notify a sheriff of a 106
change of address pursuant to division (A) of this section shall 107
fail to notify the appropriate sheriff in accordance with that 108
division. 109

(2) No person who is required to register a new residence, 110
school, institution of higher education, or place of employment 111
address with a sheriff or with an official of another state 112
pursuant to divisions (B) and (C) of this section shall fail to 113
register with the appropriate sheriff or official of the other 114
state in accordance with those divisions. 115

(F)(1) It is an affirmative defense to a charge of a violation of division (E)(1) of this section that it was impossible for the person to provide the written notice to the sheriff as required under division (A) of this section because of a lack of knowledge, on the date specified for the provision of the written notice, of a residence, school, institution of higher education, or place of employment address change, and that the person provided notice of the residence, school, institution of higher education, or place of employment address change to the sheriff specified in division (A) of this section as soon as possible after learning of the address change by doing either of the following:

(a) The person provided notice of the address change to the sheriff specified in division (A) of this section by telephone immediately upon learning of the address change or, if the person did not have reasonable access to a telephone at that time, as soon as possible after learning of the address change and having reasonable access to a telephone, and the person, as soon as possible after providing notice of the address change to the sheriff by telephone, provided written notice of the address change to that sheriff.

(b) The person, as soon as possible after learning of the address change, provided written notice of the address change to the sheriff specified in division (A) of this section.

(2) It is an affirmative defense to a charge of a violation of division (E)(2) of this section that it was impossible for the person to register the new address with the sheriff or the official of the other state as required under division (B) or (C) of this section because of a lack of knowledge, on the date specified for the registration of the new address, of a residence, school, institution of higher education, or place of employment address change, and that the person registered the new residence,

school, institution of higher education, or place of employment 148
address with the sheriff or the official of the other state 149
specified in division (B) or (C) of this section as soon as 150
possible after learning of the address change by doing either of 151
the following: 152

(a) The person provided notice of the new address to the 153
sheriff or official specified in division (B) or (C) of this 154
section by telephone immediately upon learning of the new address 155
or, if the person did not have reasonable access to a telephone at 156
that time, as soon as possible after learning of the new address 157
and having reasonable access to a telephone, and the person, as 158
soon as possible after providing notice of the new address to the 159
sheriff or official by telephone, registered the new address with 160
that sheriff or official in accordance with division (B) or (C) of 161
this section. 162

(b) The person, as soon as possible after learning of the new 163
address, registered the new address with the sheriff or official 164
specified in division (B) or (C) of this section, in accordance 165
with that division. 166

(G) An offender or delinquent child who is required to comply 167
with divisions (A), (B), and (C) of this section shall do so for 168
the period of time specified in section 2950.07 of the Revised 169
Code. 170

(H) As used in this section, and in all other sections of the 171
Revised Code that refer to the duties imposed on an offender or 172
delinquent child under this section relative to a change in the 173
offender's or delinquent child's residence, school, institution of 174
higher education, or place of employment address, "change in 175
address" includes any circumstance in which the old address for 176
the person in question no longer is accurate, regardless of 177
whether the person in question has a new address. 178

Section 2. That existing section 2950.05 of the Revised Code	179
is hereby repealed.	180