

**As Passed by the House  
(Corrected Version)**

**125th General Assembly  
Regular Session  
2003-2004**

**Am. Sub. S. B. No. 5**

**Senators Jacobson, Amstutz, Austria, Coughlin, Randy Gardner, Goodman,  
Harris, Hottinger, Spada, Stivers, Herington, Dann, Fedor, Blessing, Carnes,  
Fingerhut, Jordan, Mumper, Roberts, Schuler, Schuring, Carey, Miller,  
Armbruster, Nein, Robert Gardner  
Representatives Latta, Callender, Oelslager, DePiero, Faber, D. Evans,  
Grendell, Gilb, Willamowski, Seitz, Allen, Aslanides, Blasdel, Bocchieri,  
Brown, Buehrer, Calvert, Carano, Carmichael, Cates, Cirelli, Clancy, Collier,  
Core, Daniels, DeBose, DeWine, Distel, Domenick, C. Evans, Flowers, Gibbs,  
Hagan, Hartnett, Harwood, Hoops, Hughes, Husted, Jolivette, Martin,  
McGregor, Olman, S. Patton, T. Patton, Perry, Peterson, Raga, Raussen,  
Reidelbach, Schaffer, Schlichter, Schmidt, Schneider, Seaver, Setzer, Sferra,  
G. Smith, Taylor, Trakas, Ujvagi, Wagner, Walcher, Webster, Widener,  
Widowfield, Wolpert, Young**

---

**A B I L L**

To amend sections 109.42, 109.57, 325.32, 1923.01,	1
1923.02, 1923.051, 2152.02, 2152.19, 2152.191,	2
2152.82, 2152.83, 2152.84, 2152.85, 2743.191,	3
2743.69, 2901.07, 2907.07, 2919.24, 2929.01,	4
2929.13, 2929.19, 2929.21, 2935.36, 2950.01,	5
2950.02, 2950.03, 2950.04, 2950.05, 2950.06,	6
2950.07, 2950.08, 2950.081, 2950.09, 2950.10,	7
2950.11, 2950.12, 2950.13, 2950.14, 2950.99,	8
2971.01, 3319.20, 3319.31, 5139.13, 5321.01, and	9
5321.03 and to enact sections 311.171, 2152.811,	10
2152.851, 2950.021, 2950.031, 2950.041, 2950.091,	11

2950.111, and 5321.051 of the Revised Code to 12  
modify the Sex Offender Registration and 13  
Notification Law by adopting most of the 14  
recommendations of the Governor's Sex Offender 15  
Registration and Notification Task Force, 16  
generally conforming the Law to federal 17  
guidelines, renaming as "child-victim oriented 18  
offenses" certain crimes against children not 19  
committed with a sexual motivation that currently 20  
subject offenders and delinquent children to the 21  
Law, exempting certain sexually oriented offenses 22  
committed by a first-time offender delinquent 23  
child against a person 18 years of age or older 24  
from the registration and related duties under the 25  
Law unless a judge removes the exemption, 26  
providing a penalty for failing to send a notice 27  
of intent to reside, clarifying that habitual sex 28  
offenders or habitual child-victim offenders in 29  
another jurisdiction are habitual sex offenders or 30  
habitual child-victim offenders under Ohio law, 31  
clarifying the Law's community notification 32  
provisions as applied to multi-unit buildings, 33  
specifying that convictions in courts of foreign 34  
nations are sexually oriented offenses or 35  
child-victim oriented offenses under the Law, 36  
prohibiting an offender who is subject to the Law 37  
from establishing a residence within 1,000 feet of 38  
any school premises, permitting landlords to evict 39  
such an offender from residential premises located 40  
within 1,000 feet of school premises, permitting a 41  
sheriff to charge a fee to register, register a 42  
change of residence address of, or verify a 43  
residence address of an adult offender who is 44

required to register under the Law, and making 45  
other changes in that Law; to eliminate from the 46  
offense of "importuning" a prohibition that the 47  
Supreme Court found to be unconstitutional; to 48  
expand the purposes for which payments may be made 49  
from the Reparations Fund; to amend the versions 50  
of sections 109.42, 2152.02, 2152.19, 2743.191, 51  
2929.01, 2929.13, 2929.19, 2929.23, 2950.01, 52  
2950.99, and 5321.01 of the Revised Code that are 53  
scheduled to take effect on January 1, 2004, to 54  
continue the provisions of this act on and after 55  
that effective date; and to declare an emergency. 56

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

**Section 1.** That sections 109.42, 109.57, 325.32, 1923.01, 57  
1923.02, 1923.051, 2152.02, 2152.19, 2152.191, 2152.82, 2152.83, 58  
2152.84, 2152.85, 2743.191, 2743.69, 2901.07, 2907.07, 2919.24, 59  
2929.01, 2929.13, 2929.19, 2929.21, 2935.36, 2950.01, 2950.02, 60  
2950.03, 2950.04, 2950.05, 2950.06, 2950.07, 2950.08, 2950.081, 61  
2950.09, 2950.10, 2950.11, 2950.12, 2950.13, 2950.14, 2950.99, 62  
2971.01, 3319.20, 3319.31, 5139.13, 5321.01, and 5321.03 be 63  
amended and sections 311.171, 2152.811, 2152.851, 2950.021, 64  
2950.031, 2950.041, 2950.091, 2950.111, and 5321.051 of the 65  
Revised Code be enacted to read as follows: 66

**Sec. 109.42.** (A) The attorney general shall prepare and have 67  
printed a pamphlet that contains a compilation of all statutes 68  
relative to victim's rights in which the attorney general lists 69  
and explains the statutes in the form of a victim's bill of 70  
rights. The attorney general shall distribute the pamphlet to all 71  
sheriffs, marshals, municipal corporation and township police 72  
departments, constables, and other law enforcement agencies, to 73

all prosecuting attorneys, city directors of law, village 74  
solicitors, and other similar chief legal officers of municipal 75  
corporations, and to organizations that represent or provide 76  
services for victims of crime. The victim's bill of rights set 77  
forth in the pamphlet shall contain a description of all of the 78  
rights of victims that are provided for in Chapter 2930. or in any 79  
other section of the Revised Code and shall include, but not be 80  
limited to, all of the following: 81

(1) The right of a victim or a victim's representative to 82  
attend a proceeding before a grand jury, in a juvenile case, or in 83  
a criminal case pursuant to a subpoena without being discharged 84  
from the victim's or representative's employment, having the 85  
victim's or representative's employment terminated, having the 86  
victim's or representative's pay decreased or withheld, or 87  
otherwise being punished, penalized, or threatened as a result of 88  
time lost from regular employment because of the victim's or 89  
representative's attendance at the proceeding pursuant to the 90  
subpoena, as set forth in section 2151.211, 2930.18, 2939.121, or 91  
2945.451 of the Revised Code; 92

(2) The potential availability pursuant to section 2151.359 93  
or 2152.61 of the Revised Code of a forfeited recognizance to pay 94  
damages caused by a child when the delinquency of the child or 95  
child's violation of probation or community control is found to be 96  
proximately caused by the failure of the child's parent or 97  
guardian to subject the child to reasonable parental authority or 98  
to faithfully discharge the conditions of probation or community 99  
control; 100

(3) The availability of awards of reparations pursuant to 101  
sections 2743.51 to 2743.72 of the Revised Code for injuries 102  
caused by criminal offenses; 103

(4) The right of the victim in certain criminal or juvenile 104  
cases or a victim's representative to receive, pursuant to section 105

2930.06 of the Revised Code, notice of the date, time, and place 106  
of the trial or delinquency proceeding in the case or, if there 107  
will not be a trial or delinquency proceeding, information from 108  
the prosecutor, as defined in section 2930.01 of the Revised Code, 109  
regarding the disposition of the case; 110

(5) The right of the victim in certain criminal or juvenile 111  
cases or a victim's representative to receive, pursuant to section 112  
2930.04, 2930.05, or 2930.06 of the Revised Code, notice of the 113  
name of the person charged with the violation, the case or docket 114  
number assigned to the charge, and a telephone number or numbers 115  
that can be called to obtain information about the disposition of 116  
the case; 117

(6) The right of the victim in certain criminal or juvenile 118  
cases or of the victim's representative pursuant to section 119  
2930.13 or 2930.14 of the Revised Code, subject to any reasonable 120  
terms set by the court as authorized under section 2930.14 of the 121  
Revised Code, to make a statement about the victimization and, if 122  
applicable, a statement relative to the sentencing or disposition 123  
of the offender; 124

(7) The opportunity to obtain a court order, pursuant to 125  
section 2945.04 of the Revised Code, to prevent or stop the 126  
commission of the offense of intimidation of a crime victim or 127  
witness or an offense against the person or property of the 128  
complainant, or of the complainant's ward or child; 129

(8) The right of the victim in certain criminal or juvenile 130  
cases or a victim's representative pursuant to sections 2151.38, 131  
2929.20, 2930.10, 2930.16, and 2930.17 of the Revised Code to 132  
receive notice of a pending motion for judicial release or early 133  
release of the person who committed the offense against the 134  
victim, to make an oral or written statement at the court hearing 135  
on the motion, and to be notified of the court's decision on the 136  
motion; 137

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

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

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

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

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

(14) The right of the victim in certain criminal or juvenile cases or a victim's representative, pursuant to section 2930.16 of the Revised Code, to receive notice of the escape from confinement or custody of the person who committed the offense, to receive that notice from the custodial agency of the person at the

victim's last address or telephone number provided to the 169  
custodial agency, and to receive notice that, if either the 170  
victim's address or telephone number changes, it is in the 171  
victim's interest to provide the new address or telephone number 172  
to the custodial agency; 173

(15) The right of a victim of domestic violence to seek the 174  
issuance of a temporary protection order pursuant to section 175  
2919.26 of the Revised Code, to seek the issuance of a civil 176  
protection order pursuant to section 3113.31 of the Revised Code, 177  
and to be accompanied by a victim advocate during court 178  
proceedings; 179

(16) The right of a victim of a sexually oriented offense 180  
that is not a registration-exempt sexually oriented offense or of 181  
a child-victim oriented offense that is committed by a person who 182  
is convicted of or pleads guilty to an aggravated sexually 183  
oriented offense, by a person who is adjudicated ~~as being~~ a sexual 184  
predator or child-victim predator, or, in certain cases, by a 185  
person who is determined to be a habitual sex offender or habitual 186  
child-victim offender to receive, pursuant to section 2950.10 of 187  
the Revised Code, notice that the person has registered with a 188  
sheriff under section 2950.04, 2950.041, or 2950.05 of the Revised 189  
Code and notice of the person's name ~~and~~, the person's residence 190  
address that is registered, and the offender's school, institution 191  
of higher education, or place of employment address or addresses 192  
that are registered, and a summary of the manner in which the 193  
victim must make a request to receive the notice. As used in this 194  
division, "sexually oriented offense," "adjudicated ~~as being~~ a 195  
sexual predator," ~~and~~ "habitual sex offender," 196  
"registration-exempt sexually oriented offense," "aggravated 197  
sexually oriented offense," "child-victim oriented offense," 198  
"adjudicated a child-victim predator," and "habitual child-victim 199  
offender" have the same meanings as in section 2950.01 of the 200

Revised Code.	201
(17) The right of a victim of certain sexually violent offenses committed by a sexually violent predator who is sentenced to a prison term pursuant to division (A)(3) of section 2971.03 of the Revised Code to receive, pursuant to section 2930.16 of the Revised Code, notice of a hearing to determine whether to modify the requirement that the offender serve the entire prison term in a state correctional facility, whether to continue, revise, or revoke any existing modification of that requirement, or whether to terminate the prison term. As used in this division, "sexually violent offense" and "sexually violent predator" have the same meanings as in section 2971.01 of the Revised Code.	202 203 204 205 206 207 208 209 210 211 212
(B)(1)(a) Subject to division (B)(1)(c) of this section, a prosecuting attorney, assistant prosecuting attorney, city director of law, assistant city director of law, village solicitor, assistant village solicitor, or similar chief legal officer of a municipal corporation or an assistant of any of those officers who prosecutes an offense committed in this state, upon first contact with the victim of the offense, the victim's family, or the victim's dependents, shall give the victim, the victim's family, or the victim's dependents a copy of the pamphlet prepared pursuant to division (A) of this section and explain, upon request, the information in the pamphlet to the victim, the victim's family, or the victim's dependents.	213 214 215 216 217 218 219 220 221 222 223 224
(b) Subject to division (B)(1)(c) of this section, a law enforcement agency that investigates an offense or delinquent act committed in this state shall give the victim of the offense or delinquent act, the victim's family, or the victim's dependents a copy of the pamphlet prepared pursuant to division (A) of this section at one of the following times:	225 226 227 228 229 230
(i) Upon first contact with the victim, the victim's family, or the victim's dependents;	231 232



(ii) If the offense or delinquent act is an offense of 233  
violence, if the circumstances of the offense or delinquent act 234  
and the condition of the victim, the victim's family, or the 235  
victim's dependents indicate that the victim, the victim's family, 236  
or the victim's dependents will not be able to understand the 237  
significance of the pamphlet upon first contact with the agency, 238  
and if the agency anticipates that it will have an additional 239  
contact with the victim, the victim's family, or the victim's 240  
dependents, upon the agency's second contact with the victim, the 241  
victim's family, or the victim's dependents. 242

If the agency does not give the victim, the victim's family, 243  
or the victim's dependents a copy of the pamphlet upon first 244  
contact with them and does not have a second contact with the 245  
victim, the victim's family, or the victim's dependents, the 246  
agency shall mail a copy of the pamphlet to the victim, the 247  
victim's family, or the victim's dependents at their last known 248  
address. 249

(c) In complying on and after December 9, 1994, with the 250  
duties imposed by division (B)(1)(a) or (b) of this section, an 251  
official or a law enforcement agency shall use copies of the 252  
pamphlet that are in the official's or agency's possession on 253  
December 9, 1994, until the official or agency has distributed all 254  
of those copies. After the official or agency has distributed all 255  
of those copies, the official or agency shall use only copies of 256  
the pamphlet that contain at least the information described in 257  
division (A)(1) to (17) of this section. 258

(2) The failure of a law enforcement agency or of a 259  
prosecuting attorney, assistant prosecuting attorney, city 260  
director of law, assistant city director of law, village 261  
solicitor, assistant village solicitor, or similar chief legal 262  
officer of a municipal corporation or an assistant to any of those 263  
officers to give, as required by division (B)(1) of this section, 264

the victim of an offense or delinquent act, the victim's family, 265  
or the victim's dependents a copy of the pamphlet prepared 266  
pursuant to division (A) of this section does not give the victim, 267  
the victim's family, the victim's dependents, or a victim's 268  
representative any rights under section 122.95, 2743.51 to 269  
2743.72, 2945.04, 2967.12, 2969.01 to 2969.06, 3109.09, or 3109.10 270  
of the Revised Code or under any other provision of the Revised 271  
Code and does not affect any right under those sections. 272

(3) A law enforcement agency, a prosecuting attorney or 273  
assistant prosecuting attorney, or a city director of law, 274  
assistant city director of law, village solicitor, assistant 275  
village solicitor, or similar chief legal officer of a municipal 276  
corporation that distributes a copy of the pamphlet prepared 277  
pursuant to division (A) of this section shall not be required to 278  
distribute a copy of an information card or other printed material 279  
provided by the clerk of the court of claims pursuant to section 280  
2743.71 of the Revised Code. 281

(C) The cost of printing and distributing the pamphlet 282  
prepared pursuant to division (A) of this section shall be paid 283  
out of the reparations fund, created pursuant to section 2743.191 284  
of the Revised Code, in accordance with division (D) of that 285  
section. 286

(D) As used in this section: 287

(1) "Victim's representative" has the same meaning as in 288  
section 2930.01 of the Revised Code; 289

(2) "Victim advocate" has the same meaning as in section 290  
2919.26 of the Revised Code. 291

**Sec. 109.57.** (A)(1) The superintendent of the bureau of 292  
criminal identification and investigation shall procure from 293  
wherever procurable and file for record photographs, pictures, 294

descriptions, fingerprints, measurements, and other information 295  
that may be pertinent of all persons who have been convicted of 296  
committing within this state a felony, any crime constituting a 297  
misdemeanor on the first offense and a felony on subsequent 298  
offenses, or any misdemeanor described in division (A)(1)(a) of 299  
section 109.572 of the Revised Code, of all children under 300  
eighteen years of age who have been adjudicated delinquent 301  
children for committing within this state an act that would be a 302  
felony or an offense of violence if committed by an adult or who 303  
have been convicted of or pleaded guilty to committing within this 304  
state a felony or an offense of violence, and of all well-known 305  
and habitual criminals. The person in charge of any county, 306  
multicounty, municipal, municipal-county, or multicounty-municipal 307  
jail or workhouse, community-based correctional facility, halfway 308  
house, alternative residential facility, or state correctional 309  
institution and the person in charge of any state institution 310  
having custody of a person suspected of having committed a felony, 311  
any crime constituting a misdemeanor on the first offense and a 312  
felony on subsequent offenses, or any misdemeanor described in 313  
division (A)(1)(a) of section 109.572 of the Revised Code or 314  
having custody of a child under eighteen years of age with respect 315  
to whom there is probable cause to believe that the child may have 316  
committed an act that would be a felony or an offense of violence 317  
if committed by an adult shall furnish such material to the 318  
superintendent of the bureau. Fingerprints, photographs, or other 319  
descriptive information of a child who is under eighteen years of 320  
age, has not been arrested or otherwise taken into custody for 321  
committing an act that would be a felony or an offense of violence 322  
if committed by an adult, has not been adjudicated a delinquent 323  
child for committing an act that would be a felony or an offense 324  
of violence if committed by an adult, has not been convicted of or 325  
pleaded guilty to committing a felony or an offense of violence, 326  
and is not a child with respect to whom there is probable cause to 327

believe that the child may have committed an act that would be a 328  
felony or an offense of violence if committed by an adult shall 329  
not be procured by the superintendent or furnished by any person 330  
in charge of any county, multicounty, municipal, municipal-county, 331  
or multicounty-municipal jail or workhouse, community-based 332  
correctional facility, halfway house, alternative residential 333  
facility, or state correctional institution, except as authorized 334  
in section 2151.313 of the Revised Code. 335

(2) Every clerk of a court of record in this state, other 336  
than the supreme court or a court of appeals, shall send to the 337  
superintendent of the bureau a weekly report containing a summary 338  
of each case involving a felony, involving any crime constituting 339  
a misdemeanor on the first offense and a felony on subsequent 340  
offenses, involving a misdemeanor described in division (A)(1)(a) 341  
of section 109.572 of the Revised Code, or involving an 342  
adjudication in a case in which a child under eighteen years of 343  
age was alleged to be a delinquent child for committing an act 344  
that would be a felony or an offense of violence if committed by 345  
an adult. The clerk of the court of common pleas shall include in 346  
the report and summary the clerk sends under this division all 347  
information described in divisions (A)(2)(a) to (f) of this 348  
section regarding a case before the court of appeals that is 349  
served by that clerk. The summary shall be written on the standard 350  
forms furnished by the superintendent pursuant to division (B) of 351  
this section and shall include the following information: 352

(a) The incident tracking number contained on the standard 353  
forms furnished by the superintendent pursuant to division (B) of 354  
this section; 355

(b) The style and number of the case; 356

(c) The date of arrest; 357

(d) The date that the person was convicted of or pleaded 358

guilty to the offense, adjudicated a delinquent child for 359  
committing the act that would be a felony or an offense of 360  
violence if committed by an adult, found not guilty of the 361  
offense, or found not to be a delinquent child for committing an 362  
act that would be a felony or an offense of violence if committed 363  
by an adult, the date of an entry dismissing the charge, an entry 364  
declaring a mistrial of the offense in which the person is 365  
discharged, an entry finding that the person or child is not 366  
competent to stand trial, or an entry of a nolle prosequi, or the 367  
date of any other determination that constitutes final resolution 368  
of the case; 369

(e) A statement of the original charge with the section of 370  
the Revised Code that was alleged to be violated; 371

(f) If the person or child was convicted, pleaded guilty, or 372  
was adjudicated a delinquent child, the sentence or terms of 373  
probation imposed or any other disposition of the offender or the 374  
delinquent child. 375

If the offense involved the disarming of a law enforcement 376  
officer or an attempt to disarm a law enforcement officer, the 377  
clerk shall clearly state that fact in the summary, and the 378  
superintendent shall ensure that a clear statement of that fact is 379  
placed in the bureau's records. 380

(3) The superintendent shall cooperate with and assist 381  
sheriffs, chiefs of police, and other law enforcement officers in 382  
the establishment of a complete system of criminal identification 383  
and in obtaining fingerprints and other means of identification of 384  
all persons arrested on a charge of a felony, any crime 385  
constituting a misdemeanor on the first offense and a felony on 386  
subsequent offenses, or a misdemeanor described in division 387  
(A)(1)(a) of section 109.572 of the Revised Code and of all 388  
children under eighteen years of age arrested or otherwise taken 389  
into custody for committing an act that would be a felony or an 390

offense of violence if committed by an adult. The superintendent 391  
also shall file for record the fingerprint impressions of all 392  
persons confined in a county, multicounty, municipal, 393  
municipal-county, or multicounty-municipal jail or workhouse, 394  
community-based correctional facility, halfway house, alternative 395  
residential facility, or state correctional institution for the 396  
violation of state laws and of all children under eighteen years 397  
of age who are confined in a county, multicounty, municipal, 398  
municipal-county, or multicounty-municipal jail or workhouse, 399  
community-based correctional facility, halfway house, alternative 400  
residential facility, or state correctional institution or in any 401  
facility for delinquent children for committing an act that would 402  
be a felony or an offense of violence if committed by an adult, 403  
and any other information that the superintendent may receive from 404  
law enforcement officials of the state and its political 405  
subdivisions. 406

(4) The superintendent shall carry out Chapter 2950. of the 407  
Revised Code with respect to the registration of persons who are 408  
convicted of or plead guilty to either a sexually oriented offense 409  
that is not a registration-exempt sexually oriented offense or a 410  
child-victim oriented offense and with respect to all other duties 411  
imposed on the bureau under that chapter. 412

(B) The superintendent shall prepare and furnish to every 413  
county, multicounty, municipal, municipal-county, or 414  
multicounty-municipal jail or workhouse, community-based 415  
correctional facility, halfway house, alternative residential 416  
facility, or state correctional institution and to every clerk of 417  
a court in this state specified in division (A)(2) of this section 418  
standard forms for reporting the information required under 419  
division (A) of this section. The standard forms that the 420  
superintendent prepares pursuant to this division may be in a 421  
tangible format, in an electronic format, or in both tangible 422

formats and electronic formats. 423

(C) The superintendent may operate a center for electronic, 424  
automated, or other data processing for the storage and retrieval 425  
of information, data, and statistics pertaining to criminals and 426  
to children under eighteen years of age who are adjudicated 427  
delinquent children for committing an act that would be a felony 428  
or an offense of violence if committed by an adult, criminal 429  
activity, crime prevention, law enforcement, and criminal justice, 430  
and may establish and operate a statewide communications network 431  
to gather and disseminate information, data, and statistics for 432  
the use of law enforcement agencies. The superintendent may 433  
gather, store, retrieve, and disseminate information, data, and 434  
statistics that pertain to children who are under eighteen years 435  
of age and that are gathered pursuant to sections 109.57 to 109.61 436  
of the Revised Code together with information, data, and 437  
statistics that pertain to adults and that are gathered pursuant 438  
to those sections. 439

(D) The information and materials furnished to the 440  
superintendent pursuant to division (A) of this section and 441  
information and materials furnished to any board or person under 442  
division (F) or (G) of this section are not public records under 443  
section 149.43 of the Revised Code. 444

(E) The attorney general shall adopt rules, in accordance 445  
with Chapter 119. of the Revised Code, setting forth the procedure 446  
by which a person may receive or release information gathered by 447  
the superintendent pursuant to division (A) of this section. A 448  
reasonable fee may be charged for this service. If a temporary 449  
employment service submits a request for a determination of 450  
whether a person the service plans to refer to an employment 451  
position has been convicted of or pleaded guilty to an offense 452  
listed in division (A)(1), (3), (4), or (5) of section 109.572 of 453  
the Revised Code, the request shall be treated as a single request 454

and only one fee shall be charged. 455

(F)(1) As used in division (F)(2) of this section, "head 456  
start agency" means an entity in this state that has been approved 457  
to be an agency for purposes of subchapter II of the "Community 458  
Economic Development Act," 95 Stat. 489 (1981), 42 U.S.C.A. 9831, 459  
as amended. 460

(2)(a) In addition to or in conjunction with any request that 461  
is required to be made under section 109.572, 2151.86, 3301.32, 462  
3301.541, 3319.39, 3701.881, 5104.012, 5104.013, 5123.081, 463  
5126.28, 5126.281, or 5153.111 of the Revised Code, the board of 464  
education of any school district; the director of mental 465  
retardation and developmental disabilities; any county board of 466  
mental retardation and developmental disabilities; any entity 467  
under contract with a county board of mental retardation and 468  
developmental disabilities; the chief administrator of any 469  
chartered nonpublic school; the chief administrator of any home 470  
health agency; the chief administrator of or person operating any 471  
child day-care center, type A family day-care home, or type B 472  
family day-care home licensed or certified under Chapter 5104. of 473  
the Revised Code; the administrator of any type C family day-care 474  
home certified pursuant to Section 1 of Sub. H.B. 62 of the 121st 475  
general assembly or Section 5 of Am. Sub. S.B. 160 of the 121st 476  
general assembly; the chief administrator of any head start 477  
agency; or the executive director of a public children services 478  
agency may request that the superintendent of the bureau 479  
investigate and determine, with respect to any individual who has 480  
applied for employment in any position after October 2, 1989, or 481  
any individual wishing to apply for employment with a board of 482  
education may request, with regard to the individual, whether the 483  
bureau has any information gathered under division (A) of this 484  
section that pertains to that individual. On receipt of the 485  
request, the superintendent shall determine whether that 486



information exists and, upon request of the person, board, or 487  
entity requesting information, also shall request from the federal 488  
bureau of investigation any criminal records it has pertaining to 489  
that individual. Within thirty days of the date that the 490  
superintendent receives a request, the superintendent shall send 491  
to the board, entity, or person a report of any information that 492  
the superintendent determines exists, including information 493  
contained in records that have been sealed under section 2953.32 494  
of the Revised Code, and, within thirty days of its receipt, shall 495  
send the board, entity, or person a report of any information 496  
received from the federal bureau of investigation, other than 497  
information the dissemination of which is prohibited by federal 498  
law. 499

(b) When a board of education is required to receive 500  
information under this section as a prerequisite to employment of 501  
an individual pursuant to section 3319.39 of the Revised Code, it 502  
may accept a certified copy of records that were issued by the 503  
bureau of criminal identification and investigation and that are 504  
presented by an individual applying for employment with the 505  
district in lieu of requesting that information itself. In such a 506  
case, the board shall accept the certified copy issued by the 507  
bureau in order to make a photocopy of it for that individual's 508  
employment application documents and shall return the certified 509  
copy to the individual. In a case of that nature, a district only 510  
shall accept a certified copy of records of that nature within one 511  
year after the date of their issuance by the bureau. 512

(3) The state board of education may request, with respect to 513  
any individual who has applied for employment after October 2, 514  
1989, in any position with the state board or the department of 515  
education, any information that a school district board of 516  
education is authorized to request under division (F)(2) of this 517  
section, and the superintendent of the bureau shall proceed as if 518

the request has been received from a school district board of 519  
education under division (F)(2) of this section. 520

(4) When the superintendent of the bureau receives a request 521  
for information that is authorized under section 3319.291 of the 522  
Revised Code, the superintendent shall proceed as if the request 523  
has been received from a school district board of education under 524  
division (F)(2) of this section. 525

(5) When a recipient of an OhioReads classroom or community 526  
reading grant paid under section 3301.86 or 3301.87 of the Revised 527  
Code or an entity approved by the OhioReads council requests, with 528  
respect to any individual who applies to participate in providing 529  
any program or service through an entity approved by the OhioReads 530  
council or funded in whole or in part by the grant, the 531  
information that a school district board of education is 532  
authorized to request under division (F)(2)(a) of this section, 533  
the superintendent of the bureau shall proceed as if the request 534  
has been received from a school district board of education under 535  
division (F)(2)(a) of this section. 536

(G) In addition to or in conjunction with any request that is 537  
required to be made under section 173.41, 3701.881, 3712.09, 538  
3721.121, or 3722.151 of the Revised Code with respect to an 539  
individual who has applied for employment in a position that 540  
involves providing direct care to an older adult, the chief 541  
administrator of a PASSPORT agency that provides services through 542  
the PASSPORT program created under section 173.40 of the Revised 543  
Code, home health agency, hospice care program, home licensed 544  
under Chapter 3721. of the Revised Code, adult day-care program 545  
operated pursuant to rules adopted under section 3721.04 of the 546  
Revised Code, or adult care facility may request that the 547  
superintendent of the bureau investigate and determine, with 548  
respect to any individual who has applied after January 27, 1997, 549  
for employment in a position that does not involve providing 550

direct care to an older adult, whether the bureau has any 551  
information gathered under division (A) of this section that 552  
pertains to that individual. On receipt of the request, the 553  
superintendent shall determine whether that information exists 554  
and, on request of the administrator requesting information, shall 555  
also request from the federal bureau of investigation any criminal 556  
records it has pertaining to that individual. Within thirty days 557  
of the date a request is received, the superintendent shall send 558  
to the administrator a report of any information determined to 559  
exist, including information contained in records that have been 560  
sealed under section 2953.32 of the Revised Code, and, within 561  
thirty days of its receipt, shall send the administrator a report 562  
of any information received from the federal bureau of 563  
investigation, other than information the dissemination of which 564  
is prohibited by federal law. 565

(H) Information obtained by a board, administrator, or other 566  
person under this section is confidential and shall not be 567  
released or disseminated. 568

(I) The superintendent may charge a reasonable fee for 569  
providing information or criminal records under division (F)(2) or 570  
(G) of this section. 571

**Sec. 311.171. (A) As used in this section:** 572

(1) "Federal poverty level" means the income level 573  
represented by the poverty guidelines as revised annually by the 574  
United States department of health and human services in 575  
accordance with section 673(2) of the "Omnibus Reconciliation Act 576  
of 1981," 95 Stat. 511, 42 U.S.C.A. 9902, as amended, for a family 577  
size equal to the size of the family of the person whose income is 578  
being determined. 579

(2) "Registration year" of an offender means one of the 580  
following: 581

(a) The twelve-month period beginning on the anniversary, 582  
occurring on or after January 1, 2004, of the date on which an 583  
offender's registration period began in accordance with section 584  
2950.07 of the Revised Code; 585

(b) The twelve-month period beginning on the date on which an 586  
offender's registration period begins, on or after January 1, 587  
2004, in accordance with section 2950.07 of the Revised Code. 588

(B) The sheriff may charge a fee each time a person does any 589  
of the following: 590

(1) Registers under section 2950.04 or 2950.041 of the 591  
Revised Code; 592

(2) Registers a new residence address under section 2950.05 593  
of the Revised Code; 594

(3) Verifies a current residence address under section 595  
2950.06 of the Revised Code. 596

(C) If the sheriff charges one or more fees provided for in 597  
division (B) of this section, all of the following apply: 598

(1) The sheriff shall not require the payment of any fee from 599  
a delinquent child until the delinquent child reaches eighteen 600  
years of age. When a delinquent child reaches eighteen years of 601  
age and the sheriff charges a fee to the delinquent child, the 602  
provisions of this section applicable to "offenders" shall be 603  
construed to apply to the delinquent child. 604

(2) For an offender who has been adjudicated a sexual 605  
predator or child-victim predator or who has a duty to register as 606  
a result of committing an aggravated sexually oriented offense, 607  
the fees may not exceed a total of one hundred dollars for each 608  
registration year. 609

(3) For an offender who has been determined to be a habitual 610  
sexual offender or a habitual child-victim offender, who is not 611

described in division (C)(2) of this section, and for whom the 612  
sentencing judge has required community notification, the fees may 613  
not exceed a total of fifty dollars for each registration year. 614

(4) For an offender who has been convicted of or pleaded 615  
guilty to a sexually oriented offense that is not a 616  
registration-exempt sexually oriented offense or a child-victim 617  
offense and who is not described in division (C)(2) or (3) of this 618  
section, the fees may not exceed a total of twenty-five dollars 619  
for each registration year. 620

(5) An offender who is required to pay a fee shall retain the 621  
receipts received under section 325.28 of the Revised Code for 622  
payments made during the offender's registration year to establish 623  
that the payment of any fee will exceed the maximum annual amount 624  
permissible under this division. 625

(6) The sheriff shall not refuse to register a person, 626  
register a new residence address of a person, or verify the 627  
current residence address of a person, who does not pay a fee the 628  
sheriff requires under this section. 629

(7) The sheriff shall report unpaid fees in accordance with 630  
division (C) of section 325.31 of the Revised Code, and the county 631  
may recover those fees in a civil action in the same manner as 632  
other money due the county. 633

(D) Each time a person appears before the sheriff to provide 634  
any registration or verification specified in division (B) of this 635  
section for which the sheriff charges a fee, the sheriff shall 636  
determine whether the person is able to pay the fee. In making 637  
that determination, the sheriff shall determine whether the 638  
person's income is less than one hundred twenty-five per cent of 639  
the federal poverty level. A person whose income is equal to or 640  
greater than one hundred twenty-five per cent of the federal 641  
poverty level shall be considered able to pay the fee. 642

(E) If a sheriff determines a person's income is less than one hundred twenty-five per cent of the federal poverty level, the sheriff shall waive payment of the fee. If the sheriff determines a person's income is equal to or greater than one hundred twenty-five per cent of the federal poverty level, the sheriff may allow the person to pay the fee in accordance with a payment schedule the sheriff establishes based on the person's ability to pay. The sheriff shall document any waiver or alternative fee arrangement in the official registration records of the sheriff's office and shall provide the offender with a written copy of any waiver or alternative fee arrangement.

(F) All fees paid to a sheriff under this section shall be paid into the county treasury to the credit of the county general fund and shall be allocated to the sheriff to be used to defray the costs of registering sex offenders and child-victim offenders and providing community notification under Chapter 2950. of the Revised Code.

(G) If an offender has registered with a sheriff and subsequently relocates to a different county during a registration year, the annual maximum amounts set forth in division (C) of this section shall apply to the sheriff in the new county, and that sheriff shall consider any payments already made by the offender for purposes of determining when the applicable maximum has been met for the offender's registration year.

**Sec. 325.32.** ~~No~~ Except as otherwise provided in section 311.171 of the Revised Code, no county officer named in section 325.27 of the Revised Code, shall make any reduction, abatement, or remission of any fees, costs, percentages, penalties, allowances, or perquisites of any kind, required to be charged and collected by ~~him~~ the officer.

Sec. 1923.01. (A) As provided in this chapter, any judge of a 673  
county or municipal court or a court of common pleas, within the 674  
judge's proper area of jurisdiction, may inquire about persons who 675  
make unlawful and forcible entry into lands or tenements and 676  
detain them, and about persons who make a lawful and peaceable 677  
entry into lands or tenements and hold them unlawfully and by 678  
force. If, upon the inquiry, it is found that an unlawful and 679  
forcible entry has been made and the lands or tenements are 680  
detained, or that, after a lawful entry, lands or tenements are 681  
held unlawfully and by force, a judge shall cause the plaintiff in 682  
an action under this chapter to have restitution of the lands or 683  
tenements. 684

(B) An action shall be brought under this chapter within two 685  
years after the cause of action accrues. 686

(C) As used in this chapter: 687

(1) "Tenant" means a person who is entitled under a rental 688  
agreement to the use or occupancy of premises, other than premises 689  
located in a manufactured home park, to the exclusion of others. 690

(2) "Landlord" means the owner, lessor, or sublessor of 691  
premises, or the agent or person the landlord authorizes to manage 692  
premises or to receive rent from a tenant under a rental 693  
agreement, except, if required by the facts of the action to which 694  
the term is applied, "landlord" means a park operator. 695

(3) "Park operator," "manufactured home," "mobile home," 696  
"manufactured home park," "recreational vehicle," and "resident" 697  
have the same meanings as in section 3733.01 of the Revised Code. 698

(4) "Residential premises" has the same meaning as in section 699  
5321.01 of the Revised Code, except, if required by the facts of 700  
the action to which the term is applied, "residential premises" 701  
has the same meaning as in section 3733.01 of the Revised Code. 702

(5) "Rental agreement" means any agreement or lease, written or oral, that establishes or modifies the terms, conditions, rules, or other provisions concerning the use or occupancy of premises by one of the parties to the agreement or lease, except that "rental agreement," as used in division (A)(13) of section 1923.02 of the Revised Code and where the context requires as used in this chapter, means a rental agreement as defined in division (D) of section 5322.01 of the Revised Code.

(6) "Controlled substance" has the same meaning as in section 3719.01 of the Revised Code.

(7) "School premises" has the same meaning as in section 2925.01 of the Revised Code.

(8) "Sexually oriented offense" and "child-victim oriented offense" have the same meanings as in section 2950.01 of the Revised Code.

**Sec. 1923.02.** (A) Proceedings under this chapter may be had as follows:

(1) Against tenants or manufactured home park residents holding over their terms;

(2) Against tenants or manufactured home park residents in possession under an oral tenancy, who are in default in the payment of rent as provided in division (B) of this section;

(3) In sales of real estate, on executions, orders, or other judicial process, when the judgment debtor was in possession at the time of the rendition of the judgment or decree, by virtue of which the sale was made;

(4) In sales by executors, administrators, or guardians, and on partition, when any of the parties to the complaint were in possession at the commencement of the action, after the sales, so made on execution or otherwise, have been examined by the proper



court and adjudged legal; 733

(5) When the defendant is an occupier of lands or tenements, 734  
without color of title, and the complainant has the right of 735  
possession to them; 736

(6) In any other case of the unlawful and forcible detention 737  
of lands or tenements. For purposes of this division, in addition 738  
to any other type of unlawful and forcible detention of lands or 739  
tenements, such a detention may be determined to exist when both 740  
of the following apply: 741

(a) A tenant fails to vacate residential premises within 742  
three days after both of the following occur: 743

(i) The tenant's landlord has actual knowledge of or has 744  
reasonable cause to believe that the tenant, any person in the 745  
tenant's household, or any person on the premises with the consent 746  
of the tenant previously has or presently is engaged in a 747  
violation of Chapter 2925. or 3719. of the Revised Code, or of a 748  
municipal ordinance that is substantially similar to any section 749  
in either of those chapters, which involves a controlled substance 750  
and which occurred in, is occurring in, or otherwise was or is 751  
connected with the premises, whether or not the tenant or other 752  
person has been charged with, has pleaded guilty to or been 753  
convicted of, or has been determined to be a delinquent child for 754  
an act that, if committed by an adult, would be a violation as 755  
described in this division. For purposes of this division, a 756  
landlord has "actual knowledge of or has reasonable cause to 757  
believe" that a tenant, any person in the tenant's household, or 758  
any person on the premises with the consent of the tenant 759  
previously has or presently is engaged in a violation as described 760  
in this division if a search warrant was issued pursuant to 761  
Criminal Rule 41 or Chapter 2933. of the Revised Code; the 762  
affidavit presented to obtain the warrant named or described the 763  
tenant or person as the individual to be searched and particularly 764

described the tenant's premises as the place to be searched, named 765  
or described one or more controlled substances to be searched for 766  
and seized, stated substantially the offense under Chapter 2925. 767  
or 3719. of the Revised Code or the substantially similar 768  
municipal ordinance that occurred in, is occurring in, or 769  
otherwise was or is connected with the tenant's premises, and 770  
states the factual basis for the affiant's belief that the 771  
controlled substances are located on the tenant's premises; the 772  
warrant was properly executed by a law enforcement officer and any 773  
controlled substance described in the affidavit was found by that 774  
officer during the search and seizure; and, subsequent to the 775  
search and seizure, the landlord was informed by that or another 776  
law enforcement officer of the fact that the tenant or person has 777  
or presently is engaged in a violation as described in this 778  
division and it occurred in, is occurring in, or otherwise was or 779  
is connected with the tenant's premises. 780

(ii) The landlord gives the tenant the notice required by 781  
division (C) of section 5321.17 of the Revised Code. 782

(b) The court determines, by a preponderance of the evidence, 783  
that the tenant, any person in the tenant's household, or any 784  
person on the premises with the consent of the tenant previously 785  
has or presently is engaged in a violation as described in 786  
division (A)(6)(a)(i) of this section. 787

(7) In cases arising out of Chapter 5313. of the Revised 788  
Code. In those cases, the court has the authority to declare a 789  
forfeiture of the vendee's rights under a land installment 790  
contract and to grant any other claims arising out of the 791  
contract. 792

(8) Against tenants who have breached an obligation that is 793  
imposed by section 5321.05 of the Revised Code, other than the 794  
obligation specified in division (A)(9) of that section, and that 795  
materially affects health and safety. Prior to the commencement of 796

an action under this division, notice shall be given to the tenant 797  
and compliance secured with section 5321.11 of the Revised Code. 798

(9) Against tenants who have breached an obligation imposed 799  
upon them by a written rental agreement; 800

(10) Against manufactured home park residents who have 801  
defaulted in the payment of rent or breached the terms of a rental 802  
agreement with a manufactured home park operator. Nothing in this 803  
division precludes the commencement of an action under division 804  
(A)(12) of this section when the additional circumstances 805  
described in that division apply. 806

(11) Against manufactured home park residents who have 807  
committed two material violations of the rules of the manufactured 808  
home park, of the public health council, or of applicable state 809  
and local health and safety codes and who have been notified of 810  
the violations in compliance with section 3733.13 of the Revised 811  
Code; 812

(12) Against a manufactured home park resident, or the estate 813  
of a manufactured home park resident, who has been absent from the 814  
manufactured home park for a period of thirty consecutive days 815  
prior to the commencement of an action under this division and 816  
whose manufactured home or mobile home, or recreational vehicle 817  
that is parked in the manufactured home park, has been left 818  
unoccupied for that thirty-day period, without notice to the park 819  
operator and without payment of rent due under the rental 820  
agreement with the park operator; 821

(13) Against occupants of self-service storage facilities, as 822  
defined in division (A) of section 5322.01 of the Revised Code, 823  
who have breached the terms of a rental agreement or violated 824  
section 5322.04 of the Revised Code; 825

(14) Against any resident or occupant who, pursuant to a 826  
rental agreement, resides in or occupies residential premises 827

located within one thousand feet of any school premises and to 828  
whom both of the following apply: 829

(a) The resident's or occupant's name appears on the state 830  
registry of sex offenders and child-victim offenders maintained 831  
under section 2950.13 of the Revised Code. 832

(b) The state registry of sex offenders and child-victim 833  
offenders indicates that the resident or occupant was convicted of 834  
or pleaded guilty to either a sexually oriented offense that is 835  
not a registration-exempt sexually oriented offense or a 836  
child-victim oriented offense in a criminal prosecution and was 837  
not sentenced to a serious youthful offender dispositional 838  
sentence for that offense. 839

(15) Against any tenant who permits any person to occupy 840  
residential premises located within one thousand feet of any 841  
school premises if both of the following apply to the person: 842

(a) The person's name appears on the state registry of sex 843  
offenders and child-victim offenders maintained under section 844  
2950.13 of the Revised Code. 845

(b) The state registry of sex offenders and child-victim 846  
offenders indicates that the person was convicted of or pleaded 847  
guilty to either a sexually oriented offense that is not a 848  
registration-exempt sexually oriented offense or a child-victim 849  
oriented offense in a criminal prosecution and was not sentenced 850  
to a serious youthful offender dispositional sentence for that 851  
offense. 852

(B) If a tenant or manufactured home park resident holding 853  
under an oral tenancy is in default in the payment of rent, the 854  
tenant or resident forfeits the right of occupancy, and the 855  
landlord may, at the landlord's option, terminate the tenancy by 856  
notifying the tenant or resident, as provided in section 1923.04 857  
of the Revised Code, to leave the premises, for the restitution of 858

which an action may then be brought under this chapter. 859

(C)(1) If a tenant or any other person with the tenant's 860  
permission resides in or occupies residential premises that are 861  
located within one thousand feet of any school premises and is a 862  
resident or occupant of the type described in division (A)(14) of 863  
this section or a person of the type described in division (A)(15) 864  
of this section, the landlord for those residential premises, upon 865  
discovery that the tenant or other person is a resident, occupant, 866  
or person of that nature, may terminate the rental agreement or 867  
tenancy for those residential premises by notifying the tenant and 868  
all other occupants, as provided in section 1923.04 of the Revised 869  
Code, to leave the premises. 870

(2) If a landlord is authorized to terminate a rental 871  
agreement or tenancy pursuant to division (C)(1) of this section 872  
but does not so terminate the rental agreement or tenancy, the 873  
landlord is not liable in a tort or other civil action in damages 874  
for any injury, death, or loss to person or property that 875  
allegedly result from that decision. 876

(D) This chapter does not apply to a student tenant as 877  
defined by division (H) of section 5321.01 of the Revised Code 878  
when the college or university proceeds to terminate a rental 879  
agreement pursuant to section 5321.031 of the Revised Code. 880

**Sec. 1923.051.** (A) Notwithstanding the time-for-service of a 881  
summons provision of division (A) of section 1923.06 of the 882  
Revised Code, if the complaint described in section 1923.05 of the 883  
Revised Code that is filed by a landlord in an action under this 884  
chapter states that the landlord seeks a judgment of restitution 885  
based on the grounds specified in divisions (A)(6)(a) and (b) of 886  
section 1923.02 of the Revised Code, then the clerk of the 887  
municipal court, county court, or court of common pleas in which 888  
the complaint is filed shall cause both of the following to occur: 889

(1) The service and return of the summons in the action in accordance with the Rules of Civil Procedure, which service shall be made, if possible, within three working days after the filing of the complaint;

(2) The action to be set for trial ~~on~~ not later than the thirtieth ~~working~~ calendar day after the date that the tenant is served with a copy of the summons in accordance with division (A)(1) of this section.

(B) The tenant in an action under this chapter as described in division (A) of this section is not required to file an answer to the complaint of the landlord, and may present any defenses that ~~he~~ the tenant may possess at the trial of the action in accordance with section 1923.061 of the Revised Code.

(C) No continuances of an action under this chapter as described in division (A) of this section shall be permitted under section 1923.08 of the Revised Code, and if the tenant in the action does not appear at the trial and the summons in the action was properly served in accordance with division (A)(1) of this section, then the court shall try the action in accordance with section 1923.07 of the Revised Code.

(D) All provisions of this chapter that are not inconsistent with this section shall apply to an action under this chapter as described in division (A) of this section.

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

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

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

state by another state or the United States. 920

(C)(1) "Child" means a person who is under eighteen years of 921  
age, except as otherwise provided in divisions (C)(2) to (6) of 922  
this section. 923

(2) Subject to division (C)(3) of this section, any person 924  
who violates a federal or state law or a municipal ordinance prior 925  
to attaining eighteen years of age shall be deemed a "child" 926  
irrespective of that person's age at the time the complaint with 927  
respect to that violation is filed or the hearing on the complaint 928  
is held. 929

(3) Any person who, while under eighteen years of age, 930  
commits an act that would be a felony if committed by an adult and 931  
who is not taken into custody or apprehended for that act until 932  
after the person attains twenty-one years of age is not a child in 933  
relation to that act. 934

(4) Any person whose case is transferred for criminal 935  
prosecution pursuant to section 2152.12 of the Revised Code shall 936  
be deemed after the transfer not to be a child in the transferred 937  
case. 938

(5) Any person whose case is transferred for criminal 939  
prosecution pursuant to section 2152.12 of the Revised Code and 940  
who subsequently is convicted of or pleads guilty to a felony in 941  
that case, and any person who is adjudicated a delinquent child 942  
for the commission of an act, who has a serious youthful offender 943  
dispositional sentence imposed for the act pursuant to section 944  
2152.13 of the Revised Code, and whose adult portion of the 945  
dispositional sentence is invoked pursuant to section 2152.14 of 946  
the Revised Code, shall be deemed after the transfer or invocation 947  
not to be a child in any case in which a complaint is filed 948  
against the person. 949

(6) The juvenile court has jurisdiction over a person who is 950

adjudicated a delinquent child or juvenile traffic offender prior 951  
to attaining eighteen years of age until the person attains 952  
twenty-one years of age, and, for purposes of that jurisdiction 953  
related to that adjudication, except as otherwise provided in this 954  
division, a person who is so adjudicated a delinquent child or 955  
juvenile traffic offender shall be deemed a "child" until the 956  
person attains twenty-one years of age. If a person is so 957  
adjudicated a delinquent child or juvenile traffic offender and 958  
the court makes a disposition of the person under this chapter, at 959  
any time after the person attains eighteen years of age, the 960  
places at which the person may be held under that disposition are 961  
not limited to places authorized under this chapter solely for 962  
confinement of children, and the person may be confined under that 963  
disposition, in accordance with division (F)(2) of section 2152.26 964  
of the Revised Code, in places other than those authorized under 965  
this chapter solely for confinement of children. 966

(D) "Chronic truant" means any child of compulsory school age 967  
who is absent without legitimate excuse for absence from the 968  
public school the child is supposed to attend for seven or more 969  
consecutive school days, ten or more school days in one school 970  
month, or fifteen or more school days in a school year. 971

(E) "Community corrections facility," "public safety beds," 972  
"release authority," and "supervised release" have the same 973  
meanings as in section 5139.01 of the Revised Code. 974

(F) "Delinquent child" includes any of the following: 975

(1) Any child, except a juvenile traffic offender, who 976  
violates any law of this state or the United States, or any 977  
ordinance of a political subdivision of the state, that would be 978  
an offense if committed by an adult; 979

(2) Any child who violates any lawful order of the court made 980  
under this chapter or under Chapter 2151. of the Revised Code 981



other than an order issued under section 2151.87 of the Revised Code;	982 983
(3) Any child who violates division (A) of section 2923.211 of the Revised Code;	984 985
(4) Any child who is a habitual truant and who previously has been adjudicated an unruly child for being a habitual truant;	986 987
(5) Any child who is a chronic truant.	988
(G) "Discretionary serious youthful offender" means a person who is eligible for a discretionary SYO and who is not transferred to adult court under a mandatory or discretionary transfer.	989 990 991
(H) "Discretionary SYO" means a case in which the juvenile court, in the juvenile court's discretion, may impose a serious youthful offender disposition under section 2152.13 of the Revised Code.	992 993 994 995
(I) "Discretionary transfer" means that the juvenile court has discretion to transfer a case for criminal prosecution under division (B) of section 2152.12 of the Revised Code.	996 997 998
(J) "Drug abuse offense," "felony drug abuse offense," and "minor drug possession offense" have the same meanings as in section 2925.01 of the Revised Code.	999 1000 1001
(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.	1002 1003 1004 1005 1006
(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	1007 1008 1009 1010 1011

act.	1012
(M) "Firearm" has the same meaning as in section 2923.11 of the Revised Code.	1013 1014
(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.	1015 1016 1017 1018 1019 1020 1021 1022
(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.	1023 1024 1025
(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.	1026 1027 1028
(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.	1029 1030 1031
(R) "Mandatory transfer" means that a case is required to be transferred for criminal prosecution under division (A) of section 2152.12 of the Revised Code.	1032 1033 1034
(S) "Mental illness" has the same meaning as in section 5122.01 of the Revised Code.	1035 1036
(T) "Mentally retarded person" has the same meaning as in section 5123.01 of the Revised Code.	1037 1038
(U) "Monitored time" and "repeat violent offender" have the same meanings as in section 2929.01 of the Revised Code.	1039 1040
(V) "Of compulsory school age" has the same meaning as in	1041

section 3321.01 of the Revised Code. 1042

(W) "Public record" has the same meaning as in section 149.43 1043  
of the Revised Code. 1044

(X) "Serious youthful offender" means a person who is 1045  
eligible for a mandatory SYO or discretionary SYO but who is not 1046  
transferred to adult court under a mandatory or discretionary 1047  
transfer. 1048

(Y) "Sexually oriented offense," "habitual sex offender," 1049  
"juvenile ~~sex~~ offender registrant," ~~and~~ "sexual predator," 1050  
"presumptive registration-exempt sexually oriented offense," 1051  
"registration-exempt sexually oriented offense," "child-victim 1052  
oriented offense," "habitual child-victim offender," and 1053  
"child-victim predator" have the same meanings as in section 1054  
2950.01 of the Revised Code. 1055

(Z) "Traditional juvenile" means a case that is not 1056  
transferred to adult court under a mandatory or discretionary 1057  
transfer, that is eligible for a disposition under sections 1058  
2152.16, 2152.17, 2152.19, and 2152.20 of the Revised Code, and 1059  
that is not eligible for a disposition under section 2152.13 of 1060  
the Revised Code. 1061

(AA) "Transfer" means the transfer for criminal prosecution 1062  
of a case involving the alleged commission by a child of an act 1063  
that would be an offense if committed by an adult from the 1064  
juvenile court to the appropriate court that has jurisdiction of 1065  
the offense. 1066

(BB) "Category one offense" means any of the following: 1067

(1) A violation of section 2903.01 or 2903.02 of the Revised 1068  
Code; 1069

(2) A violation of section 2923.02 of the Revised Code 1070  
involving an attempt to commit aggravated murder or murder. 1071

(CC) "Category two offense" means any of the following:	1072
(1) A violation of section 2903.03, 2905.01, 2907.02,	1073
2909.02, 2911.01, or 2911.11 of the Revised Code;	1074
(2) A violation of section 2903.04 of the Revised Code that	1075
is a felony of the first degree;	1076
(3) A violation of section 2907.12 of the Revised Code as it	1077
existed prior to September 3, 1996.	1078
<b>Sec. 2152.19.</b> (A) If a child is adjudicated a delinquent	1079
child, the court may make any of the following orders of	1080
disposition, in addition to any other disposition authorized or	1081
required by this chapter:	1082
(1) Any order that is authorized by section 2151.353 of the	1083
Revised Code for the care and protection of an abused, neglected,	1084
or dependent child;	1085
(2) Commit the child to the temporary custody of any school,	1086
camp, institution, or other facility operated for the care of	1087
delinquent children by the county, by a district organized under	1088
section 2152.41 or 2151.65 of the Revised Code, or by a private	1089
agency or organization, within or without the state, that is	1090
authorized and qualified to provide the care, treatment, or	1091
placement required, including, but not limited to, a school, camp,	1092
or facility operated under section 2151.65 of the Revised Code;	1093
(3) Place the child in a detention facility or district	1094
detention facility operated under section 2152.41 of the Revised	1095
Code, for up to ninety days;	1096
(4) Place the child on community control under any sanctions,	1097
services, and conditions that the court prescribes. As a condition	1098
of community control in every case and in addition to any other	1099
condition that it imposes upon the child, the court shall require	1100
the child to abide by the law during the period of community	1101

control. As referred to in this division, community control 1102  
includes, but is not limited to, the following sanctions and 1103  
conditions: 1104

(a) A period of basic probation supervision in which the 1105  
child is required to maintain contact with a person appointed to 1106  
supervise the child in accordance with sanctions imposed by the 1107  
court; 1108

(b) A period of intensive probation supervision in which the 1109  
child is required to maintain frequent contact with a person 1110  
appointed by the court to supervise the child while the child is 1111  
seeking or maintaining employment and participating in training, 1112  
education, and treatment programs as the order of disposition; 1113

(c) A period of day reporting in which the child is required 1114  
each day to report to and leave a center or another approved 1115  
reporting location at specified times in order to participate in 1116  
work, education or training, treatment, and other approved 1117  
programs at the center or outside the center; 1118

(d) A period of community service of up to five hundred hours 1119  
for an act that would be a felony or a misdemeanor of the first 1120  
degree if committed by an adult, up to two hundred hours for an 1121  
act that would be a misdemeanor of the second, third, or fourth 1122  
degree if committed by an adult, or up to thirty hours for an act 1123  
that would be a minor misdemeanor if committed by an adult; 1124

(e) A requirement that the child obtain a high school 1125  
diploma, a certificate of high school equivalence, vocational 1126  
training, or employment; 1127

(f) A period of drug and alcohol use monitoring; 1128

(g) A requirement of alcohol or drug assessment or 1129  
counseling, or a period in an alcohol or drug treatment program 1130  
with a level of security for the child as determined necessary by 1131  
the court; 1132

(h) A period in which the court orders the child to observe a curfew that may involve daytime or evening hours; 1133  
1134

(i) A requirement that the child serve monitored time; 1135

(j) A period of house arrest with or without electronic monitoring; 1136  
1137

(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. 1138  
1139  
1140  
1141

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 1142  
1143  
1144  
1145  
1146  
1147  
1148  
1149  
1150  
1151  
1152  
1153  
1154  
1155  
1156  
1157  
1158  
1159  
1160  
1161  
1162  
1163

electronically monitored house arrest. The court also may impose 1164  
other reasonable requirements upon the child. 1165

Unless ordered by the court, a child shall not receive credit 1166  
for any time served on electronically monitored house arrest 1167  
toward any other dispositional order imposed upon the child for 1168  
the act for which was imposed the dispositional order of 1169  
electronically monitored house arrest. 1170

(1) A suspension of the driver's license, probationary 1171  
driver's license, or temporary instruction permit issued to the 1172  
child or a suspension of the registration of all motor vehicles 1173  
registered in the name of the child. A child whose license or 1174  
permit is so suspended is ineligible for issuance of a license or 1175  
permit during the period of suspension. At the end of the period 1176  
of suspension, the child shall not be reissued a license or permit 1177  
until the child has paid any applicable reinstatement fee and 1178  
complied with all requirements governing license reinstatement. 1179

(5) Commit the child to the custody of the court; 1180

(6) Require the child to not be absent without legitimate 1181  
excuse from the public school the child is supposed to attend for 1182  
five or more consecutive days, seven or more school days in one 1183  
school month, or twelve or more school days in a school year; 1184

(7)(a) If a child is adjudicated a delinquent child for being 1185  
a chronic truant or an habitual truant who previously has been 1186  
adjudicated an unruly child for being a habitual truant, do either 1187  
or both of the following: 1188

(i) Require the child to participate in a truancy prevention 1189  
mediation program; 1190

(ii) Make any order of disposition as authorized by this 1191  
section, except that the court shall not commit the child to a 1192  
facility described in division (A)(2) or (3) of this section 1193  
unless the court determines that the child violated a lawful court 1194

order made pursuant to division (C)(1)(e) of section 2151.354 of 1195  
the Revised Code or division (A)(6) of this section. 1196

(b) If a child is adjudicated a delinquent child for being a 1197  
chronic truant or a habitual truant who previously has been 1198  
adjudicated an unruly child for being a habitual truant and the 1199  
court determines that the parent, guardian, or other person having 1200  
care of the child has failed to cause the child's attendance at 1201  
school in violation of section 3321.38 of the Revised Code, do 1202  
either or both of the following: 1203

(i) Require the parent, guardian, or other person having care 1204  
of the child to participate in a truancy prevention mediation 1205  
program; 1206

(ii) Require the parent, guardian, or other person having 1207  
care of the child to participate in any community service program, 1208  
preferably a community service program that requires the 1209  
involvement of the parent, guardian, or other person having care 1210  
of the child in the school attended by the child. 1211

(8) Make any further disposition that the court finds proper, 1212  
except that the child shall not be placed in any of the following: 1213

(a) A state correctional institution, a county, multicounty, 1214  
or municipal jail or workhouse, or another place in which an adult 1215  
convicted of a crime, under arrest, or charged with a crime is 1216  
held; 1217

(b) A community corrections facility, if the child would be 1218  
covered by the definition of public safety beds for purposes of 1219  
sections 5139.41 to 5139.45 of the Revised Code if the court 1220  
exercised its authority to commit the child to the legal custody 1221  
of the department of youth services for institutionalization or 1222  
institutionalization in a secure facility pursuant to this 1223  
chapter. 1224

(B) If a child is adjudicated a delinquent child, in addition 1225



to any order of disposition made under division (A) of this 1226  
section, the court, in the following situations, shall suspend the 1227  
child's temporary instruction permit, restricted license, 1228  
probationary driver's license, or nonresident operating privilege, 1229  
or suspend the child's ability to obtain such a permit: 1230

(1) The child is adjudicated a delinquent child for violating 1231  
section 2923.122 of the Revised Code, with the suspension and 1232  
denial being in accordance with division (E)(1)(a), (c), (d), or 1233  
(e) of section 2923.122 of the Revised Code. 1234

(2) The child is adjudicated a delinquent child for 1235  
committing an act that if committed by an adult would be a drug 1236  
abuse offense or for violating division (B) of section 2917.11 of 1237  
the Revised Code, with the suspension continuing until the child 1238  
attends and satisfactorily completes a drug abuse or alcohol abuse 1239  
education, intervention, or treatment program specified by the 1240  
court. During the time the child is attending the program, the 1241  
court shall retain any temporary instruction permit, probationary 1242  
driver's license, or driver's license issued to the child, and the 1243  
court shall return the permit or license when the child 1244  
satisfactorily completes the program. 1245

(C) The court may establish a victim-offender mediation 1246  
program in which victims and their offenders meet to discuss the 1247  
offense and suggest possible restitution. If the court obtains the 1248  
assent of the victim of the delinquent act committed by the child, 1249  
the court may require the child to participate in the program. 1250

(D)(1) If a child is adjudicated a delinquent child for 1251  
committing an act that would be a felony if committed by an adult 1252  
and if the child caused, attempted to cause, threatened to cause, 1253  
or created a risk of physical harm to the victim of the act, the 1254  
court, prior to issuing an order of disposition under this 1255  
section, shall order the preparation of a victim impact statement 1256  
by the probation department of the county in which the victim of 1257

the act resides, by the court's own probation department, or by a 1258  
victim assistance program that is operated by the state, a county, 1259  
a municipal corporation, or another governmental entity. The court 1260  
shall consider the victim impact statement in determining the 1261  
order of disposition to issue for the child. 1262

(2) Each victim impact statement shall identify the victim of 1263  
the act for which the child was adjudicated a delinquent child, 1264  
itemize any economic loss suffered by the victim as a result of 1265  
the act, identify any physical injury suffered by the victim as a 1266  
result of the act and the seriousness and permanence of the 1267  
injury, identify any change in the victim's personal welfare or 1268  
familial relationships as a result of the act and any 1269  
psychological impact experienced by the victim or the victim's 1270  
family as a result of the act, and contain any other information 1271  
related to the impact of the act upon the victim that the court 1272  
requires. 1273

(3) A victim impact statement shall be kept confidential and 1274  
is not a public record. However, the court may furnish copies of 1275  
the statement to the department of youth services if the 1276  
delinquent child is committed to the department or to both the 1277  
adjudicated delinquent child or the adjudicated delinquent child's 1278  
counsel and the prosecuting attorney. The copy of a victim impact 1279  
statement furnished by the court to the department pursuant to 1280  
this section shall be kept confidential and is not a public 1281  
record. If an officer is preparing pursuant to section 2947.06 or 1282  
2951.03 of the Revised Code or Criminal Rule 32.2 a presentence 1283  
investigation report pertaining to a person, the court shall make 1284  
available to the officer, for use in preparing the report, a copy 1285  
of any victim impact statement regarding that person. The copies 1286  
of a victim impact statement that are made available to the 1287  
adjudicated delinquent child or the adjudicated delinquent child's 1288  
counsel and the prosecuting attorney pursuant to this division 1289

shall be returned to the court by the person to whom they were 1290  
made available immediately following the imposition of an order of 1291  
disposition for the child under this chapter. 1292

The copy of a victim impact statement that is made available 1293  
pursuant to this division to an officer preparing a criminal 1294  
presentence investigation report shall be returned to the court by 1295  
the officer immediately following its use in preparing the report. 1296

(4) The department of youth services shall work with local 1297  
probation departments and victim assistance programs to develop a 1298  
standard victim impact statement. 1299

(E) If a child is adjudicated a delinquent child for being a 1300  
chronic truant or an habitual truant who previously has been 1301  
adjudicated an unruly child for being an habitual truant and the 1302  
court determines that the parent, guardian, or other person having 1303  
care of the child has failed to cause the child's attendance at 1304  
school in violation of section 3321.38 of the Revised Code, in 1305  
addition to any order of disposition it makes under this section, 1306  
the court shall warn the parent, guardian, or other person having 1307  
care of the child that any subsequent adjudication of the child as 1308  
an unruly or delinquent child for being an habitual or chronic 1309  
truant may result in a criminal charge against the parent, 1310  
guardian, or other person having care of the child for a violation 1311  
of division (C) of section 2919.21 or section 2919.24 of the 1312  
Revised Code. 1313

(F)(1) During the period of a delinquent child's community 1314  
control granted under this section, authorized probation officers 1315  
who are engaged within the scope of their supervisory duties or 1316  
responsibilities may search, with or without a warrant, the person 1317  
of the delinquent child, the place of residence of the delinquent 1318  
child, and a motor vehicle, another item of tangible or intangible 1319  
personal property, or other real property in which the delinquent 1320  
child has a right, title, or interest or for which the delinquent 1321

child has the express or implied permission of a person with a 1322  
right, title, or interest to use, occupy, or possess if the 1323  
probation officers have reasonable grounds to believe that the 1324  
delinquent child is not abiding by the law or otherwise is not 1325  
complying with the conditions of the delinquent child's community 1326  
control. The court that places a delinquent child on community 1327  
control under this section shall provide the delinquent child with 1328  
a written notice that informs the delinquent child that authorized 1329  
probation officers who are engaged within the scope of their 1330  
supervisory duties or responsibilities may conduct those types of 1331  
searches during the period of community control if they have 1332  
reasonable grounds to believe that the delinquent child is not 1333  
abiding by the law or otherwise is not complying with the 1334  
conditions of the delinquent child's community control. The court 1335  
also shall provide the written notice described in division (E)(2) 1336  
of this section to each parent, guardian, or custodian of the 1337  
delinquent child who is described in that division. 1338

(2) The court that places a child on community control under 1339  
this section shall provide the child's parent, guardian, or other 1340  
custodian with a written notice that informs them that authorized 1341  
probation officers may conduct searches pursuant to division 1342  
(E)(1) of this section. The notice shall specifically state that a 1343  
permissible search might extend to a motor vehicle, another item 1344  
of tangible or intangible personal property, or a place of 1345  
residence or other real property in which a notified parent, 1346  
guardian, or custodian has a right, title, or interest and that 1347  
the parent, guardian, or custodian expressly or impliedly permits 1348  
the child to use, occupy, or possess. 1349

(G) If a juvenile court commits a delinquent child to the 1350  
custody of any person, organization, or entity pursuant to this 1351  
section and if the delinquent act for which the child is so 1352  
committed is a sexually oriented offense that is not a 1353

registration-exempt sexually oriented offense or is a child-victim 1354  
oriented offense, the court in the order of disposition shall do 1355  
one of the following: 1356

(1) Require that the child be provided treatment as described 1357  
in division (A)(2) of section 5139.13 of the Revised Code; 1358

(2) Inform the person, organization, or entity that it is the 1359  
preferred course of action in this state that the child be 1360  
provided treatment as described in division (A)(2) of section 1361  
5139.13 of the Revised Code and encourage the person, 1362  
organization, or entity to provide that treatment. 1363

**Sec. 2152.191.** If a child is adjudicated a delinquent child 1364  
for committing a sexually oriented offense that is not a 1365  
registration-exempt sexually oriented offense or for committing a 1366  
child-victim oriented offense, if the child is fourteen years of 1367  
age or older at the time of committing the offense, and if the 1368  
child committed the offense on or after ~~the effective date of this~~ 1369  
~~section, all~~ January 1, 2002, both of the following apply: 1370

(A) Sections 2152.82 to 2152.85 and Chapter 2950. of the 1371  
Revised Code apply to the child and the adjudication. 1372

(B) In addition to any order of disposition it makes of the 1373  
child under this chapter, the court may make any determination, 1374  
adjudication, or order authorized under sections 2152.82 to 1375  
2152.85 and Chapter 2950. of the Revised Code and shall make any 1376  
determination, adjudication, or order required under those 1377  
sections and that chapter. 1378

**Sec. 2152.811.** If a court adjudicates a child a delinquent 1379  
child for committing a presumptive registration-exempt sexually 1380  
oriented offense, the court may determine pursuant to section 1381  
2950.021 of the Revised Code, prior to making an order of 1382  
disposition for the child, that the child potentially should be 1383

subjected to classification as a juvenile offender registrant 1384  
under sections 2152.82, 2152.83, 2152.84, or 2152.85 of the 1385  
Revised Code and to registration under section 2950.04 of the 1386  
Revised Code and all other duties and responsibilities generally 1387  
imposed under Chapter 2950. of the Revised Code upon persons who 1388  
are adjudicated delinquent children for committing a sexually 1389  
oriented offense other than a presumptive registration-exempt 1390  
sexually oriented offense. If the court so determines, divisions 1391  
(B)(1) and (3) of section 2950.021 of the Revised Code apply, and 1392  
the court shall proceed as described in those divisions. 1393

**Sec. 2152.82.** (A) The court that adjudicates a child a 1394  
delinquent child shall issue as part of the dispositional order an 1395  
order that classifies the child a juvenile ~~sex~~ offender registrant 1396  
and specifies that the child has a duty to ~~register under section~~ 1397  
comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of 1398  
the Revised Code if all of the following apply: 1399

(1) The act for which the child is adjudicated a delinquent 1400  
child is a sexually oriented offense that is not a 1401  
registration-exempt sexually oriented offense or is a child-victim 1402  
oriented offense that the child committed on or after January 1, 1403  
2002. 1404

(2) The child was fourteen, fifteen, sixteen, or seventeen 1405  
years of age at the time of committing the offense. 1406

(3) The court has determined that the child previously was 1407  
convicted of, pleaded guilty to, or was adjudicated a delinquent 1408  
child for committing any sexually oriented offense or child-victim 1409  
oriented offense, regardless of when the prior offense was 1410  
committed and regardless of the child's age at the time of 1411  
committing the offense. 1412

(B) An order required under division (A) of this section 1413  
shall be issued at the time the judge makes the orders of 1414

disposition for the delinquent child. Prior to issuing the order 1415  
required by division (A) of this section, the judge shall conduct 1416  
the hearing and make the determinations required by division (B) 1417  
of section 2950.09 of the Revised Code regarding a sexually 1418  
oriented offense that is not a registration-exempt sexually 1419  
oriented offense or division (B) of section 2950.091 of the 1420  
Revised Code regarding a child-victim oriented offense to 1421  
determine if the child is to be classified a sexual predator or a 1422  
child-victim predator, shall make the determinations required by 1423  
division (E) of ~~that~~ section 2950.09 of the Revised Code regarding 1424  
a sexually oriented offense that is not a registration-exempt 1425  
sexually oriented offense or division (E) of section 2950.091 of 1426  
the Revised Code regarding a child-victim oriented offense to 1427  
determine if the child is to be classified a habitual sex offender 1428  
or a habitual child-victim offender, and shall otherwise comply 1429  
with those divisions. When a judge issues an order under division 1430  
(A) of this section, all of the following apply: 1431

(1) The judge shall include in the order any determination 1432  
that the delinquent child is, or is not, a sexual predator or 1433  
child-victim predator or is, or is not, a habitual sex offender or 1434  
habitual child-victim offender that the judge makes pursuant to 1435  
division (B) or (E) of section 2950.09 or 2950.091 of the Revised 1436  
Code and any related information required or authorized under the 1437  
division under which the determination is made, including, but not 1438  
limited to, any requirement imposed by the court subjecting a 1439  
child who is a habitual sex offender or habitual child-victim 1440  
offender to community notification provisions as described in 1441  
division (E) of ~~that~~ section 2950.09 or 2950.091 of the Revised 1442  
Code. 1443

(2) The judge shall include in the order a statement that, 1444  
upon completion of the disposition of the delinquent child that 1445  
was made for the sexually oriented offense or child-victim 1446

oriented offense upon which the order is based, a hearing will be 1447  
conducted, and the order and any determinations included in the 1448  
order are subject to modification or termination pursuant to 1449  
sections 2152.84 and 2152.85 of the Revised Code. 1450

(3) The judge shall provide ~~a copy of the order~~ to the 1451  
delinquent child and to the delinquent child's parent, guardian, 1452  
or custodian, ~~as part of the notice provided~~ required under 1453  
divisions (A) and (B) of section 2950.03 of the Revised Code and 1454  
shall provide as part of that notice a copy of the order. 1455

(4) The judge shall include the order in the delinquent 1456  
child's dispositional order and shall specify in the dispositional 1457  
order that the order issued under division (A) of this section was 1458  
made pursuant to this section. 1459

(C) An order issued under division (A) of this section and 1460  
any determinations included in the order shall remain in effect 1461  
for the period of time specified in section 2950.07 of the Revised 1462  
Code, subject to a modification or termination of the order under 1463  
section 2152.84 or 2152.85 of the Revised Code, and section 1464  
2152.851 of the Revised Code applies regarding the order and the 1465  
determinations. If an order is issued under division (A) of this 1466  
section, the child's attainment of eighteen or twenty-one years of 1467  
age does not affect or terminate the order, and the order remains 1468  
in effect for the period of time described in this division. 1469

(D) A court that adjudicates a child a delinquent child for a 1470  
sexually oriented offense that is a registration-exempt sexually 1471  
oriented offense shall not issue based on that adjudication an 1472  
order under this section that classifies the child a juvenile 1473  
offender registrant and specifies that the child has a duty to 1474  
comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of 1475  
the Revised Code. 1476

**Sec. 2152.83.** (A)(1) The court that adjudicates a child a 1477



delinquent child shall issue as part of the dispositional order 1478  
or, if the court commits the child for the delinquent act to the 1479  
custody of a secure facility, shall issue at the time of the 1480  
child's release from the secure facility, an order that classifies 1481  
the child a juvenile ~~sex~~ offender registrant and specifies that 1482  
the child has a duty to ~~register under section~~ comply with 1483  
sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised 1484  
Code if all of the following apply: 1485

(a) The act for which the child is or was adjudicated a 1486  
delinquent child is a sexually oriented offense that is not a 1487  
registration-exempt sexually oriented offense or is a child-victim 1488  
oriented offense that the child committed on or after January 1, 1489  
2002. 1490

(b) The child was sixteen or seventeen years of age at the 1491  
time of committing the offense. 1492

(c) The court was not required to classify the child a 1493  
juvenile ~~sex~~ offender registrant under section 2152.82 of the 1494  
Revised Code. 1495

(2) Prior to issuing the order required by division (A)(2) of 1496  
this section, the judge shall conduct the hearing and make the 1497  
determinations required by division (B) of section 2950.09 of the 1498  
Revised Code regarding a sexually oriented offense that is not a 1499  
registration-exempt sexually oriented offense or division (B) of 1500  
section 2950.091 of the Revised Code regarding a child-victim 1501  
oriented offense to determine if the child is to be classified ~~as~~ 1502  
a sexual predator or a child-victim predator, shall make the 1503  
determinations required by division (E) of ~~that~~ section 2950.09 of 1504  
the Revised Code regarding a sexually oriented offense that is not 1505  
a registration-exempt sexually oriented offense or division (E) of 1506  
section 2950.091 of the Revised Code regarding a child-victim 1507  
oriented offense to determine if the child is to be classified ~~as~~ 1508  
a habitual sex offender or a habitual child-victim offender, and 1509

shall otherwise comply with those divisions. When a judge issues 1510  
an order under division (A)(1) of this section, the judge shall 1511  
include in the order all of the determinations and information 1512  
identified in division (B)(1) of section 2152.82 of the Revised 1513  
Code that are relevant. 1514

(B)(1) The court that adjudicates a child a delinquent child, 1515  
on the judge's own motion, may conduct at the time of disposition 1516  
of the child or, if the court commits the child for the delinquent 1517  
act to the custody of a secure facility, may conduct at the time 1518  
of the child's release from the secure facility, a hearing for the 1519  
purposes described in division (B)(2) of this section if all of 1520  
the following apply: 1521

(a) The act for which the child is adjudicated a delinquent 1522  
child is a sexually oriented offense that is not a 1523  
registration-exempt sexually oriented offense or is a child-victim 1524  
oriented offense that the child committed on or after January 1, 1525  
2002. 1526

(b) The child was fourteen or fifteen years of age at the 1527  
time of committing the offense. 1528

(c) The court was not required to classify the child a 1529  
juvenile ~~sex~~ offender registrant under section 2152.82 of the 1530  
Revised Code. 1531

(2) A judge shall conduct a hearing under division (B)(1) of 1532  
this section to review the effectiveness of the disposition made 1533  
of the child and of any treatment provided for the child placed in 1534  
a secure setting and to determine whether the child should be 1535  
classified a juvenile ~~sex~~ offender registrant. The judge may 1536  
conduct the hearing on the judge's own initiative or based upon a 1537  
recommendation of an officer or employee of the department of 1538  
youth services, a probation officer, an employee of the court, or 1539  
a prosecutor or law enforcement officer. If the judge conducts the 1540

hearing, upon completion of the hearing, the judge, in the judge's 1541  
discretion and after consideration of the factors listed in 1542  
division (E) of this section, shall do either of the following: 1543

(a) Decline to issue an order that classifies the child a 1544  
juvenile ~~sex~~ offender registrant and specifies that the child has 1545  
a duty to ~~register under section~~ comply with sections 2950.04, 1546  
2950.041, 2950.05, and 2950.06 of the Revised Code; 1547

(b) Issue an order that classifies the child a juvenile ~~sex~~ 1548  
offender registrant and specifies that the child has a duty to 1549  
~~register under section~~ comply with sections 2950.04, 2950.041, 1550  
2950.05, and 2950.06 of the Revised Code and, if the judge 1551  
~~determines~~ conducts a hearing as described in division (C) of this 1552  
section ~~that~~ to determine whether the child is a sexual predator 1553  
or child-victim predator or a habitual sex offender or habitual 1554  
child-victim offender, include in the order a statement that the 1555  
judge has determined that the child is, or is not, a sexual 1556  
predator ~~or a~~, child-victim predator, habitual sex offender, or 1557  
habitual child-victim offender, whichever is applicable. 1558

(C) A judge may issue an order under division (B) of this 1559  
section that contains a determination that a delinquent child is a 1560  
sexual predator or child-victim predator only if the judge, in 1561  
accordance with the procedures specified in division (B) of 1562  
section 2950.09 of the Revised Code regarding sexual predators or 1563  
division (B) of section 2950.091 of the Revised Code regarding 1564  
child-victim predators, determines at the hearing by clear and 1565  
convincing evidence that the child is a sexual predator or a 1566  
child-victim predator. A judge may issue an order under division 1567  
(B) of this section that contains a determination that a 1568  
delinquent child is a habitual sex offender or a habitual 1569  
child-victim offender only if the judge at the hearing determines 1570  
as described in division (E) of section 2950.09 of the Revised 1571  
Code regarding habitual sex offenders or division (E) of section 1572

2950.091 of the Revised Code regarding habitual child-victim 1573  
offenders that the child is a habitual sex offender or a habitual 1574  
child-victim offender. If the judge issues an order under division 1575  
(B) of this section that contains a determination that a 1576  
delinquent child is a habitual sex offender or a habitual 1577  
child-victim offender, the judge may impose a requirement 1578  
subjecting the child to community notification provisions as 1579  
described in division (E) of section 2950.09 or 2950.091 of the 1580  
Revised Code, whichever is applicable. If the court conducts a 1581  
hearing as described in this division to determine whether the 1582  
child is a sexual predator or child-victim predator or a habitual 1583  
sex offender or habitual child-victim offender, the judge shall 1584  
comply with division (B) or (E) of section 2950.09 or 2950.091 of 1585  
the Revised Code, whichever is applicable, in all regards. 1586

(D) If a judge issues an order under division (A) or (B) of 1587  
this section, the judge shall provide to the delinquent child and 1588  
to the delinquent child's parent, guardian, or custodian a copy of 1589  
the order and a notice containing the information described in 1590  
divisions (A) and (B) of section 2950.03 of the Revised Code. The 1591  
judge shall provide the notice at the time of the issuance of the 1592  
order, ~~shall provide the notice as described in division (B)(1)(c)~~ 1593  
~~of that section~~, and shall comply with divisions (B)(1), (B)(2), 1594  
and (C) of that section regarding that notice and the provision of 1595  
it. 1596

The judge also shall include in the order a statement that, 1597  
upon completion of the disposition of the delinquent child that 1598  
was made for the sexually oriented offense or child-victim 1599  
oriented offense upon which the order is based, a hearing will be 1600  
conducted and the order is subject to modification or termination 1601  
pursuant to section 2152.84 of the Revised Code. 1602

(E) In making a decision under division (B) of this section 1603  
as to whether a delinquent child should be classified a juvenile 1604

~~sex~~ offender registrant and, if so, whether the child also is a 1605  
sexual predator or child-victim predator or a habitual sex 1606  
offender or habitual child-victim offender, a judge shall consider 1607  
all relevant factors, including, but not limited to, all of the 1608  
following: 1609

(1) The nature of the sexually oriented offense that is not a 1610  
registration-exempt sexually oriented offense or the child-victim 1611  
oriented offense committed by the child; 1612

(2) Whether the child has shown any genuine remorse or 1613  
compunction for the offense; 1614

(3) The public interest and safety; 1615

(4) The factors set forth in division (B)(3) of section 1616  
2950.09 or 2950.091 of the Revised Code, whichever is applicable; 1617

(5) The factors set forth in divisions (B) and (C) of section 1618  
2929.12 of the Revised Code as those factors apply regarding the 1619  
delinquent child, the offense, and the victim; 1620

(6) The results of any treatment provided to the child and of 1621  
any follow-up professional assessment of the child. 1622

(F) An order issued under division (A) or (B) of this section 1623  
and any determinations included in the order shall remain in 1624  
effect for the period of time specified in section 2950.07 of the 1625  
Revised Code, subject to a modification or termination of the 1626  
order under section 2152.84 of the Revised Code, and section 1627  
2152.851 of the Revised Code applies regarding the order and the 1628  
determinations. The child's attainment of eighteen or twenty-one 1629  
years of age does not affect or terminate the order, and the order 1630  
remains in effect for the period of time described in this 1631  
division. 1632

(G) A court that adjudicates a child a delinquent child for a 1633  
sexually oriented offense that is a registration-exempt sexually 1634

oriented offense shall not issue based on that adjudication an 1635  
order under this section that classifies the child a juvenile 1636  
offender registrant and specifies that the child has a duty to 1637  
comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of 1638  
the Revised Code. 1639

(H) As used in the section, "secure facility" has the same 1640  
meaning as in section 2950.01 of the Revised Code. 1641

**Sec. 2152.84.** (A)(1) When a juvenile court judge issues an 1642  
order under section 2152.82 or division (A) or (B) of section 1643  
2152.83 of the Revised Code that classifies a delinquent child a 1644  
juvenile ~~sex~~ offender registrant and specifies that the child has 1645  
a duty to ~~register under section~~ comply with sections 2950.04, 1646  
2950.041, 2950.05, and 2950.06 of the Revised Code, upon 1647  
completion of the disposition of that child made for the sexually 1648  
oriented offense that is not a registration-exempt sexually 1649  
oriented offense or the child-victim oriented offense on which the 1650  
juvenile ~~sex~~ offender registrant order was based, the judge or the 1651  
judge's successor in office shall conduct a hearing to review the 1652  
effectiveness of the disposition and of any treatment provided for 1653  
the child, to determine the risks that the child might re-offend, 1654  
and to determine whether the prior classification of the child as 1655  
a juvenile ~~sex~~ offender registrant and, if applicable, as a sexual 1656  
predator or child-victim predator or as a habitual sex offender or 1657  
habitual child-victim offender should be continued, modified, or 1658  
terminated as provided under division (A)(2) of this section. 1659

(2) Upon completion of a hearing under division (A)(1) of 1660  
this section, the judge, in the judge's discretion and after 1661  
consideration of the factors listed in division (E) of section 1662  
2152.83 of the Revised Code, shall do one of the following, as 1663  
applicable: 1664

(a) Enter an order that continues the classification of the 1665

delinquent child made in the prior order issued under section 1666  
2152.82 or division (A) or (B) of section 2152.83 of the Revised 1667  
Code, and any sexual predator ~~or, child-victim predator,~~ habitual 1668  
sex offender, or habitual child-victim offender determination 1669  
included in the order; 1670

(b) If the prior order was issued under section 2152.82 or 1671  
division (A) of section 2152.83 of the Revised Code and includes a 1672  
determination by the judge that the delinquent child is a sexual 1673  
predator or child-victim predator, enter, as applicable, an order 1674  
that contains a determination that the ~~delinquent~~ child no longer 1675  
is a sexual predator, the reason or reasons for that 1676  
determination, and ~~that also contains~~ either a determination that 1677  
the ~~delinquent~~ child is a habitual sex offender or a determination 1678  
that the ~~delinquent~~ child remains a juvenile ~~sex~~ offender 1679  
registrant but is not a sexual predator or habitual sex offender, 1680  
or an order that contains a determination that the child no longer 1681  
is a child-victim predator, the reason or reasons for that 1682  
determination, and either a determination that the child is a 1683  
habitual child-victim offender or a determination that the child 1684  
remains a juvenile offender registrant but is not a child-victim 1685  
predator or habitual child-victim offender; 1686

(c) If the prior order was issued under section 2152.82 or 1687  
division (A) of section 2152.83 of the Revised Code and does not 1688  
include a sexual predator or child-victim predator determination 1689  
as described in division (A)(2)(b) of this section but includes a 1690  
determination by the judge that the delinquent child is a habitual 1691  
sex offender or a habitual child-victim offender, enter, as 1692  
applicable, an order that contains a determination that the 1693  
~~delinquent~~ child no longer is a habitual sex offender and ~~that~~ 1694  
~~also contains~~ a determination that the ~~delinquent~~ child remains a 1695  
juvenile sex offender registrant but is not a habitual ~~sex~~ 1696  
offender, or an order that contains a determination that the child 1697

no longer is a habitual child-victim offender and a determination 1698  
that the child remains a juvenile offender registrant but is not a 1699  
habitual child-victim offender; 1700

(d) If the prior order was issued under division (B) of 1701  
section 2152.83 of the Revised Code and includes a determination 1702  
by the judge that the delinquent child is a sexual predator or 1703  
child-victim predator, enter, as applicable, an order that 1704  
contains a determination that the ~~delinquent~~ child no longer is a 1705  
sexual predator, the reason or reasons for that determination, and 1706  
~~that also contains either~~ a determination that the ~~delinquent~~ 1707  
child is a habitual sex offender, a determination that the 1708  
~~delinquent~~ child remains a juvenile ~~sex~~ offender registrant but is 1709  
not a sexual predator or habitual sex offender, or a determination 1710  
that ~~specifies that the delinquent~~ child no longer is a juvenile 1711  
~~sex~~ offender registrant and no longer has a duty to ~~register under~~ 1712  
section comply with sections 2950.04, 2950.05, and 2950.06 of the 1713  
Revised Code, or an order that contains a determination that the 1714  
child no longer is a child-victim predator, the reason or reasons 1715  
for that determination, and either a determination that the child 1716  
is a habitual child-victim offender, a determination that the 1717  
child remains a juvenile offender registrant but is not a 1718  
child-victim predator or habitual child-victim offender, or a 1719  
determination that the child no longer is a juvenile offender 1720  
registrant and no longer has a duty to comply with sections 1721  
2950.041, 2950.05, and 2950.06 of the Revised Code; 1722

(e) If the prior order was issued under division (B) of 1723  
section 2152.83 of the Revised Code and does not include a sexual 1724  
predator or child-victim predator determination as described in 1725  
division (A)(2)(d) of this section but includes a determination by 1726  
the judge that the delinquent child is a habitual sex offender or 1727  
habitual child-victim offender, enter, as applicable, an order 1728  
that contains a determination that the child no longer is a 1729



habitual sex offender and ~~that also contains~~ either a 1730  
determination that the child remains a juvenile ~~sex~~ offender 1731  
registrant but is not a sexual predator or habitual sex offender 1732  
or a determination that ~~specifies that~~ the child no longer is a 1733  
juvenile ~~sex~~ offender registrant and no longer has a duty to 1734  
~~register under section~~ comply with sections 2950.04, 2950.05, and 1735  
2950.06 of the Revised Code, or an order that contains a 1736  
determination that the child no longer is a habitual child-victim 1737  
offender and either a determination that the child remains a 1738  
juvenile offender registrant but is not a child-victim predator or 1739  
habitual child-victim offender or a determination that the child 1740  
no longer is a juvenile offender registrant and no longer has a 1741  
duty to comply with sections 2950.041, 2950.05, and 2950.06 of the 1742  
Revised Code; 1743

(f) If the prior order was issued under division (B) of 1744  
section 2152.83 of the Revised Code and does not include a sexual 1745  
predator or child-victim predator determination or a habitual sex 1746  
offender or habitual child-victim offender determination as 1747  
described in divisions (A)(2)(d) and (e) of this section, enter, 1748  
as applicable, an order that contains a determination that the 1749  
delinquent child no longer is a juvenile ~~sex~~ offender registrant 1750  
and no longer has a duty to ~~register under section~~ comply with 1751  
sections 2950.04, 2950.05, and 2950.06 of the Revised Code, or an 1752  
order that contains a determination that the delinquent child no 1753  
longer is a juvenile offender registrant and no longer has a duty 1754  
to comply with sections 2950.041, 2950.05, and 2950.06 of the 1755  
Revised Code. 1756

(B) If a judge issues an order under division (A)(2)(a) of 1757  
this section that continues the prior classification of the 1758  
delinquent child as a juvenile ~~sex~~ offender registrant and any 1759  
sexual predator or habitual sex offender determination included in 1760  
the order, or that continues the prior classification of the 1761

delinquent child as a juvenile offender registrant and any 1762  
child-victim predator or habitual child-victim offender 1763  
determination included in the order, the prior classification and 1764  
the prior determination, if applicable, shall remain in effect. 1765

A judge may issue an order under division (A)(2) of this 1766  
section that contains a determination that a child no longer is a 1767  
sexual predator or no longer is a child-victim predator only if 1768  
the judge, in accordance with the procedures specified in division 1769  
(D)(1) of section 2950.09 of the Revised Code regarding a sexual 1770  
predator, determines at the hearing by clear and convincing 1771  
evidence that the delinquent child is unlikely to commit a 1772  
sexually oriented offense in the future, or the judge, in 1773  
accordance with the procedures specified in division (D)(1) of 1774  
section 2950.091 of the Revised Code regarding a child-victim 1775  
predator, determines at the hearing by clear and convincing 1776  
evidence that the delinquent child is unlikely to commit a 1777  
child-victim oriented offense in the future. If the judge issues 1778  
an order of that type, the judge shall provide the notifications 1779  
described in division (D)(1) of section 2950.09 or 2950.091 of the 1780  
Revised Code, whichever is applicable, and the recipient of the 1781  
notification shall comply with the provisions of that division. 1782

If a judge issues an order under division (A)(2) of this 1783  
section that otherwise reclassifies the delinquent child, the 1784  
judge shall provide a copy of the order to the bureau of criminal 1785  
identification and investigation, and the bureau, upon receipt of 1786  
the copy of the order, promptly shall notify the sheriff with whom 1787  
the child most recently registered under section 2950.04 or 1788  
2950.041 of the Revised Code of the reclassification. 1789

(C) If a judge issues an order under any provision of 1790  
division (A)(2) of this section, the judge shall provide to the 1791  
delinquent child and to the delinquent child's parent, guardian, 1792  
or custodian a copy of the order and a notice containing the 1793

information described in divisions (A) and (B) of section 2950.03 1794  
of the Revised Code. The judge shall provide the notice at the 1795  
time of the issuance of the order, ~~shall provide the notice as~~ 1796  
~~described in division (B)(1)(c) of that section,~~ and shall comply 1797  
with divisions (B)(1), (B)(2), and (C) of that section regarding 1798  
that notice and the provision of it. 1799

(D) In making a decision under division (A) of this section, 1800  
a judge shall consider all relevant factors, including, but not 1801  
limited to, the factors listed in division (E) of section 2152.83 1802  
of the Revised Code. 1803

(E) An order issued under division (A)(2) of this section and 1804  
any determinations included in the order shall remain in effect 1805  
for the period of time specified in section 2950.07 of the Revised 1806  
Code, subject to a modification or termination of the order under 1807  
section 2152.85 of the Revised Code, and section 2152.851 of the 1808  
Revised Code applies regarding the order and the determinations. 1809  
If an order is issued under division (A)(2) of this section, the 1810  
child's attainment of eighteen or twenty-one years of age does not 1811  
affect or terminate the order, and the order remains in effect for 1812  
the period of time described in this division. 1813

**Sec. 2152.85.** (A) Upon the expiration of the applicable 1814  
period of time specified in division (B)(1) or (2) of this 1815  
section, a delinquent child who has been classified pursuant to 1816  
this section or section 2152.82 or 2152.83 of the Revised Code a 1817  
juvenile ~~sex~~ offender registrant may petition the judge who made 1818  
the classification, or that judge's successor in office, to do one 1819  
of the following: 1820

(1) If the order containing the juvenile ~~sex~~ offender 1821  
registrant classification also includes a determination by the 1822  
juvenile court judge that the delinquent child is a sexual 1823  
predator ~~relative to the sexually oriented offense~~ or child-victim 1824

predator in the manner described in section 2152.82 or 2152.83 of 1825  
the Revised Code and that determination remains in effect, to 1826  
enter, as applicable, an order that contains a determination that 1827  
the child no longer is a sexual predator, the reason or reasons 1828  
for that determination, and ~~that also contains~~ either a 1829  
determination that the child is a habitual sex offender or a 1830  
determination that the child remains a juvenile ~~sex~~ offender 1831  
registrant but is not a sexual predator or habitual sex offender, 1832  
or an order that contains a determination that the child no longer 1833  
is a child-victim predator, the reason or reasons for that 1834  
determination, and either a determination that the child is a 1835  
habitual child-victim offender or a determination that the child 1836  
remains a juvenile offender registrant but is not a child-victim 1837  
predator or habitual child-victim offender; 1838

(2) If the order containing the juvenile ~~sex~~ offender 1839  
registrant classification under section 2152.82 or 2152.83 of the 1840  
Revised Code or under division (C)(2) of this section pursuant to 1841  
a petition filed under division (A) of this section does not 1842  
include a sexual predator or child-victim predator determination 1843  
as described in division (A)(1) of this section but includes a 1844  
determination by the juvenile court judge that the delinquent 1845  
child is a habitual sex offender ~~relative to the sexually oriented~~ 1846  
~~offense~~ or a habitual child-victim offender in the manner 1847  
described in section 2152.82 or 2152.83 of the Revised Code, or in 1848  
this section, and that determination remains in effect, to enter, 1849  
as applicable, an order that contains a determination that the 1850  
child no longer is a habitual sex offender and ~~that also contains~~ 1851  
either a determination that the child remains a juvenile ~~sex~~ 1852  
offender registrant or a determination that the child no longer is 1853  
a juvenile ~~sex~~ offender registrant and no longer has a duty to 1854  
~~register under section~~ comply with sections 2950.04, 2950.05, and 1855  
2950.06 of the Revised Code, or an order that contains a 1856  
determination that the child no longer is a habitual child-victim 1857

offender and either a determination that the child remains a 1858  
juvenile offender registrant or a determination that the child no 1859  
longer is a juvenile offender registrant and no longer has a duty 1860  
to comply with sections 2950.041, 2950.05, and 2950.06 of the 1861  
Revised Code; 1862

(3) If the order containing the juvenile ~~sex~~ offender 1863  
registrant classification under section 2152.82 or 2152.83 of the 1864  
Revised Code or under division (C)(2) of this section pursuant to 1865  
a petition filed under division (A) of this section does not 1866  
include a sexual predator or child-victim predator determination 1867  
or a habitual sex offender or habitual child-victim offender 1868  
determination as described in division (A)(1) or (2) of this 1869  
section, to enter, as applicable, an order that contains a 1870  
determination that the child no longer is a juvenile ~~sex~~ offender 1871  
registrant and no longer has a duty to ~~register under section~~ 1872  
comply with sections 2950.04, 2950.05, and 2950.06 of the Revised 1873  
Code, or an order that contains a determination that the child no 1874  
longer is a juvenile offender registrant and no longer has a duty 1875  
to comply with sections 2950.041, 2950.05, and 2950.06 of the 1876  
Revised Code. 1877

(B) A delinquent child who has been adjudicated a delinquent 1878  
child for committing on or after ~~the effective date of this~~ 1879  
~~section~~ January 1, 2002, a sexually oriented offense that is not a 1880  
registration-exempt sexually oriented offense and who has been 1881  
classified a juvenile ~~sex~~ offender registrant relative to that 1882  
~~sexually oriented~~ offense or who has been adjudicated a delinquent 1883  
child for committing on or after that date a child-victim oriented 1884  
offense and who has been classified a juvenile offender registrant 1885  
relative to that offense may file a petition under division (A) of 1886  
this section requesting reclassification or declassification as 1887  
described in that division after the expiration of one of the 1888  
following periods of time: 1889

(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.

(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~~, child-victim predator, habitual sex offender, or habitual child-victim offender, if applicable, shall remain in effect.

A judge may issue an order under division (C) of this section that contains a determination that a child no longer is a sexual predator or no longer is a child-victim 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 regarding a sexual predator, determines at the hearing by clear and convincing evidence that the delinquent child is unlikely to commit a sexually oriented offense in the future, or, in accordance with the procedures specified in division (D)(1) of section 2950.091 of the Revised Code regarding a child-victim predator, determines at the hearing by clear and convincing evidence that the delinquent child is unlikely to commit a child-victim 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 or 2950.091 of the Revised Code, whichever is applicable, and the recipient of the notification shall comply with the provisions of that division.

A judge may issue an order under division (C) of this section that contains a determination that a delinquent child is a habitual sex offender or a habitual child-victim 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 regarding habitual sex offenders or division (E) of section 2950.091 of the Revised Code regarding habitual child-victim offenders that the child is a habitual sex offender or a habitual child-victim offender. If the judge issues an order that contains a determination that a delinquent child is a habitual sex offender or a habitual child-victim offender, the judge may impose a requirement subjecting the child to community notification provisions as described in that division.

(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 1953  
the order and a notice containing the information described in 1954  
divisions (A) and (B) of section 2950.03 of the Revised Code. The 1955  
judge shall provide the notice at the time of the issuance of the 1956  
order, ~~shall provide the notice as described in division (B)(1)(c)~~ 1957  
~~of section 2950.03 of the Revised Code,~~ and shall comply with 1958  
divisions (B)(1), (B)(2), and (C) of that section regarding that 1959  
notice and the provision of it. 1960

(F) An order issued under division (C) of this section shall 1961  
remain in effect for the period of time specified in section 1962  
2950.07 of the Revised Code, subject to a further modification or 1963  
a termination of the order under this section, and section 1964  
2152.851 of the Revised Code applies regarding the order and the 1965  
determinations. If an order is issued under division (C) of this 1966  
section, the child's attainment of eighteen or twenty-one years of 1967  
age does not affect or terminate the order, and the order remains 1968  
in effect for the period of time described in this division. 1969

Sec. 2152.851. (A) If, prior to the effective date of this 1970  
section, a judge issues an order under section 2152.82, 2152.83, 1971  
2152.84, or 2152.85 of the Revised Code that classifies a 1972  
delinquent child a juvenile offender registrant and if, on and 1973  
after the effective date of this section, the sexually oriented 1974  
offense upon which the order was based no longer is considered a 1975  
sexually oriented offense but instead is a child-victim oriented 1976  
offense, notwithstanding the redesignation of the offense, the 1977  
order shall remain in effect for the period described in the 1978  
section under which it was issued, the order shall be considered 1979  
for all purposes to be an order that classifies the child a 1980  
juvenile offender registrant, division (A)(2)(b) of section 1981  
2950.041 of the Revised Code applies regarding the child, and the 1982  
duty to register imposed pursuant to that division shall be 1983  
considered, for purposes of section 2950.07 of the Revised Code 1984



and for all other purposes, to be a continuation of the duty 1985  
imposed upon the child prior to the effective date of this section 1986  
under the order issued under section 2152.82, 2152.83, 2152.84, or 1987  
2152.85 and Chapter 2950. of the Revised Code. 1988

(B) If an order of the type described in division (A) of this 1989  
section included a classification or determination that the 1990  
delinquent child was a sexual predator or habitual sex offender, 1991  
notwithstanding the redesignation of the offense upon which the 1992  
determination was based, all of the following apply: 1993

(1) Divisions (A)(1) and (2) or (E)(1) and (2) of section 1994  
2950.091 of the Revised Code apply regarding the child and the 1995  
judge's order made prior to the effective date of this section 1996  
shall be considered for all purposes to be an order that 1997  
classifies the child as described in those divisions; 1998

(2) The child's classification or determination under 1999  
divisions (A)(1) and (2) or (E)(1) and (2) of section 2950.091 of 2000  
the Revised Code shall be considered, for purposes of section 2001  
2950.07 of the Revised Code and for all other purposes, to be a 2002  
continuation of classification or determination made prior to the 2003  
effective date of this section; 2004

(3) The child's duties under Chapter 2950. of the Revised 2005  
Code relative to that classification or determination shall be 2006  
considered for all purposes to be a continuation of the duties 2007  
related to that classification or determination as they existed 2008  
prior to the effective date of this section. 2009

**Sec. 2743.191.** (A)(1) There is hereby created in the state 2010  
treasury the reparations fund, which shall be used only for the 2011  
following purposes: 2012

(a) The payment of awards of reparations that are granted by 2013  
the attorney general; 2014

(b) The compensation of any personnel needed by the attorney general to administer sections 2743.51 to 2743.72 of the Revised Code;	2015 2016 2017
(c) The compensation of witnesses as provided in division (B) of section 2743.65 of the Revised Code;	2018 2019
(d) Other administrative costs of hearing and determining claims for an award of reparations by the attorney general;	2020 2021
(e) The costs of administering sections 2907.28 and 2969.01 to 2969.06 of the Revised Code;	2022 2023
(f) The costs of investigation and decision-making as certified by the attorney general;	2024 2025
(g) The provision of state financial assistance to victim assistance programs in accordance with sections 109.91 and 109.92 of the Revised Code;	2026 2027 2028
(h) The costs of paying the expenses of sex offense-related examinations and antibiotics pursuant to section 2907.28 of the Revised Code;	2029 2030 2031
(i) The cost of printing and distributing the pamphlet prepared by the attorney general pursuant to section 109.42 of the Revised Code;	2032 2033 2034
(j) Subject to division (D) of section 2743.71 of the Revised Code, the costs associated with the printing and providing of information cards or other printed materials to law enforcement agencies and prosecuting authorities and with publicizing the availability of awards of reparations pursuant to section 2743.71 of the Revised Code;	2035 2036 2037 2038 2039 2040
(k) The payment of costs of administering a DNA specimen collection procedure pursuant to section 2152.74 of the Revised Code in relation to any act identified in division (E)(1) to (5) of that section and pursuant to section 2901.07 of the Revised	2041 2042 2043 2044

Code in relation to any act identified in division (E)(1) to (5) 2045  
of that section, of performing DNA analysis of those DNA 2046  
specimens, and of entering the resulting DNA records regarding 2047  
those analyses into the DNA database pursuant to section 109.573 2048  
of the Revised Code; 2049

(1) The payment of actual costs associated with initiatives 2050  
by the attorney general for the apprehension, prosecution, and 2051  
accountability of offenders, and the enhancing of services to 2052  
crime victims. The amount of payments made pursuant to division 2053  
(A)(1)(1) of this section during any given fiscal year shall not 2054  
exceed five per cent of the balance of the reparations fund at the 2055  
close of the immediately previous fiscal year. 2056

(2) All costs paid pursuant to section 2743.70 of the Revised 2057  
Code, the portions of license reinstatement fees mandated by 2058  
division (L)(2)(b) of section 4511.191 of the Revised Code to be 2059  
credited to the fund, the portions of the proceeds of the sale of 2060  
a forfeited vehicle specified in division (D)(2) of section 2061  
4503.234 of the Revised Code, payments collected by the department 2062  
of rehabilitation and correction from prisoners who voluntarily 2063  
participate in an approved work and training program pursuant to 2064  
division (C)(8)(b)(ii) of section 5145.16 of the Revised Code, and 2065  
all moneys collected by the state pursuant to its right of 2066  
subrogation provided in section 2743.72 of the Revised Code shall 2067  
be deposited in the fund. 2068

(B) In making an award of reparations, the attorney general 2069  
shall render the award against the state. The award shall be 2070  
accomplished only through the following procedure, and the 2071  
following procedure may be enforced by writ of mandamus directed 2072  
to the appropriate official: 2073

(1) The attorney general shall provide for payment of the 2074  
claimant or providers in the amount of the award. 2075

(2) The expense shall be charged against all available 2076  
unencumbered moneys in the fund. 2077

(3) If sufficient unencumbered moneys do not exist in the 2078  
fund, the attorney general shall make application for payment of 2079  
the award out of the emergency purposes account or any other 2080  
appropriation for emergencies or contingencies, and payment out of 2081  
this account or other appropriation shall be authorized if there 2082  
are sufficient moneys greater than the sum total of then pending 2083  
emergency purposes account requests or requests for releases from 2084  
the other appropriations. 2085

(4) If sufficient moneys do not exist in the account or any 2086  
other appropriation for emergencies or contingencies to pay the 2087  
award, the attorney general shall request the general assembly to 2088  
make an appropriation sufficient to pay the award, and no payment 2089  
shall be made until the appropriation has been made. The attorney 2090  
general shall make this appropriation request during the current 2091  
biennium and during each succeeding biennium until a sufficient 2092  
appropriation is made. If, prior to the time that an appropriation 2093  
is made by the general assembly pursuant to this division, the 2094  
fund has sufficient unencumbered funds to pay the award or part of 2095  
the award, the available funds shall be used to pay the award or 2096  
part of the award, and the appropriation request shall be amended 2097  
to request only sufficient funds to pay that part of the award 2098  
that is unpaid. 2099

(C) The attorney general shall not make payment on a decision 2100  
or order granting an award until all appeals have been determined 2101  
and all rights to appeal exhausted, except as otherwise provided 2102  
in this section. If any party to a claim for an award of 2103  
reparations appeals from only a portion of an award, and a 2104  
remaining portion provides for the payment of money by the state, 2105  
that part of the award calling for the payment of money by the 2106  
state and not a subject of the appeal shall be processed for 2107

payment as described in this section. 2108

(D) The attorney general shall prepare itemized bills for the 2109  
costs of printing and distributing the pamphlet the attorney 2110  
general prepares pursuant to section 109.42 of the Revised Code. 2111  
The itemized bills shall set forth the name and address of the 2112  
persons owed the amounts set forth in them. 2113

(E) As used in this section, "DNA analysis" and "DNA 2114  
specimen" have the same meanings as in section 109.573 of the 2115  
Revised Code. 2116

**Sec. 2743.69.** (A) The attorney general shall prepare and 2117  
transmit annually to the governor, the president of the senate, 2118  
the speaker of the house of representatives, and the minority 2119  
leaders of both houses a report of the activities of the Ohio 2120  
crime victims compensation program under sections 2743.51 to 2121  
2743.72 of the Revised Code. The report shall include ~~the~~ all of 2122  
the following: 2123

(1) The number of claims filed, the number of awards made and 2124  
the amount of each award, and a statistical summary of awards made 2125  
and denied, including the average size of awards; ~~the~~ 2126

(2) The balance in the reparations fund, with a listing by 2127  
source and amount of the moneys that have been deposited in the 2128  
fund; ~~the~~ 2129

(3) The amount that has been withdrawn from the fund, 2130  
including separate listings of the administrative costs incurred 2131  
by the attorney general and a court of claims panel of 2132  
commissioners, compensation of judges and court personnel, ~~and~~ the 2133  
amount awarded as attorney's fees, and the amount of payments made 2134  
pursuant to divisions (A)(1)(k) and (l) of section 2743.191 of the 2135  
Revised Code. ~~The~~ 2136

(B) The director of budget and management shall assist the 2137

attorney general in the preparation of the report required by this section. 2138  
2139

**Sec. 2901.07.** (A) As used in this section: 2140

(1) "DNA analysis" and "DNA specimen" have the same meanings as in section 109.573 of the Revised Code. 2141  
2142

(2) "Jail" and "community-based correctional facility" have the same meanings as in section 2929.01 of the Revised Code. 2143  
2144

(3) "Post-release control" has the same meaning as in section 2967.01 of the Revised Code. 2145  
2146

(B)(1) A person who is convicted of or pleads guilty to a felony offense listed in division (D) of this section and who is sentenced to a prison term or to a community residential sanction in a jail or community-based correctional facility pursuant to section 2929.16 of the Revised Code, and a person who is convicted of or pleads guilty to a misdemeanor offense listed in division (D) of this section and who is sentenced to a term of imprisonment shall submit to a DNA specimen collection procedure administered by the director of rehabilitation and correction or the chief administrative officer of the jail or other detention facility in which the person is serving the term of imprisonment. If the person serves the prison term in a state correctional institution, the director of rehabilitation and correction shall cause the DNA specimen to be collected from the person during the intake process at the reception facility designated by the director. If the person serves the community residential sanction or term of imprisonment in a jail, a community-based correctional facility, or another county, multicounty, municipal, municipal-county, or multicounty-municipal detention facility, the chief administrative officer of the jail, community-based correctional facility, or detention facility shall cause the DNA specimen to be collected from the person during the intake process at the jail, 2147  
2148  
2149  
2150  
2151  
2152  
2153  
2154  
2155  
2156  
2157  
2158  
2159  
2160  
2161  
2162  
2163  
2164  
2165  
2166  
2167  
2168

community-based correctional facility, or detention facility. In 2169  
accordance with division (C) of this section, the director or the 2170  
chief administrative officer shall cause the DNA specimen to be 2171  
forwarded to the bureau of criminal identification and 2172  
investigation no later than fifteen days after the date of the 2173  
collection of the DNA specimen. The DNA specimen shall be 2174  
collected in accordance with division (C) of this section. 2175

(2) If a person is convicted of or pleads guilty to an 2176  
offense listed in division (D) of this section, is serving a 2177  
prison term, community residential sanction, or term of 2178  
imprisonment for that offense, and does not provide a DNA specimen 2179  
pursuant to division (B)(1) of this section, prior to the person's 2180  
release from the prison term, community residential sanction, or 2181  
imprisonment, the person shall submit to, and the director of 2182  
rehabilitation and correction or the chief administrative officer 2183  
of the jail, community-based correctional facility, or detention 2184  
facility in which the person is serving the prison term, community 2185  
residential sanction, or term of imprisonment shall administer, a 2186  
DNA specimen collection procedure at the state correctional 2187  
institution, jail, community-based correctional facility, or 2188  
detention facility in which the person is serving the prison term, 2189  
community residential sanction, or term of imprisonment. In 2190  
accordance with division (C) of this section, the director or the 2191  
chief administrative officer shall cause the DNA specimen to be 2192  
forwarded to the bureau of criminal identification and 2193  
investigation no later than fifteen days after the date of the 2194  
collection of the DNA specimen. The DNA specimen shall be 2195  
collected in accordance with division (C) of this section. 2196

(3) If a person sentenced to a term of imprisonment or 2197  
serving a prison term or community residential sanction for 2198  
committing an offense listed in division (D) of this section is on 2199  
probation, is released on parole, under transitional control, or 2200

on another type of release, or is on post-release control, if the 2201  
person is under the supervision of a probation department or the 2202  
adult parole authority, if the person is sent to jail or is 2203  
returned to a jail, community-based correctional facility, or 2204  
state correctional institution for a violation of the terms and 2205  
conditions of the probation, parole, transitional control, other 2206  
release, or post-release control, if the person was or will be 2207  
serving a term of imprisonment, prison term, or community 2208  
residential sanction for committing an offense listed in division 2209  
(D) of this section, and if the person did not provide a DNA 2210  
specimen pursuant to division (B)(1) or (2) of this section, the 2211  
person shall submit to, and the director of rehabilitation and 2212  
correction or the chief administrative officer of the jail or 2213  
community-based correctional facility shall administer, a DNA 2214  
specimen collection procedure at the jail, community-based 2215  
correctional facility, or state correctional institution in which 2216  
the person is serving the term of imprisonment, prison term, or 2217  
community residential sanction. In accordance with division (C) of 2218  
this section, the director or the chief administrative officer 2219  
shall cause the DNA specimen to be forwarded to the bureau of 2220  
criminal identification and investigation no later than fifteen 2221  
days after the date of the collection of the DNA specimen. The DNA 2222  
specimen shall be collected from the person in accordance with 2223  
division (C) of this section. 2224

(C) If the DNA specimen is collected by withdrawing blood 2225  
from the person or a similarly invasive procedure, a physician, 2226  
registered nurse, licensed practical nurse, duly licensed clinical 2227  
laboratory technician, or other qualified medical practitioner 2228  
shall collect in a medically approved manner the DNA specimen 2229  
required to be collected pursuant to division (B) of this section. 2230  
If the DNA specimen is collected by swabbing for buccal cells or a 2231  
similarly noninvasive procedure, this section does not require 2232  
that the DNA specimen be collected by a qualified medical 2233



practitioner of that nature. No later than fifteen days after the 2234  
date of the collection of the DNA specimen, the director of 2235  
rehabilitation and correction or the chief administrative officer 2236  
of the jail, community-based correctional facility, or other 2237  
county, multicounty, municipal, municipal-county, or 2238  
multicounty-municipal detention facility, in which the person is 2239  
serving the prison term, community residential sanction, or term 2240  
of imprisonment shall cause the DNA specimen to be forwarded to 2241  
the bureau of criminal identification and investigation in 2242  
accordance with procedures established by the superintendent of 2243  
the bureau under division (H) of section 109.573 of the Revised 2244  
Code. The bureau shall provide the specimen vials, mailing tubes, 2245  
labels, postage, and instructions needed for the collection and 2246  
forwarding of the DNA specimen to the bureau. 2247

(D) The director of rehabilitation and correction and the 2248  
chief administrative officer of the jail, community-based 2249  
correctional facility, or other county, multicounty, municipal, 2250  
municipal-county, or multicounty-municipal detention facility 2251  
shall cause a DNA specimen to be collected in accordance with 2252  
divisions (B) and (C) of this section from a person in its custody 2253  
who is convicted of or pleads guilty to any of the following 2254  
offenses: 2255

(1) A violation of section 2903.01, 2903.02, 2903.11, 2256  
2905.01, 2907.02, 2907.03, 2907.04, 2907.05, 2911.01, 2911.02, 2257  
2911.11, or 2911.12 of the Revised Code; 2258

(2) A violation of section 2907.12 of the Revised Code as it 2259  
existed prior to September 3, 1996; 2260

(3) An attempt to commit a violation of section 2903.01, 2261  
2903.02, 2907.02, 2907.03, 2907.04, or 2907.05 of the Revised Code 2262  
or to commit a violation of section 2907.12 of the Revised Code as 2263  
it existed prior to September 3, 1996; 2264

(4) A violation of any law that arose out of the same facts and circumstances and same act as did a charge against the person of a violation of section 2903.01, 2903.02, 2905.01, 2907.02, 2907.03, 2907.04, 2907.05, or 2911.11 of the Revised Code that previously was dismissed or amended or as did a charge against the person of a violation of section 2907.12 of the Revised Code as it existed prior to September 3, 1996, that previously was dismissed or amended;

(5) A violation of section 2905.02 or 2919.23 of the Revised Code that would have been a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, had it been committed prior to that date;

(6) A sexually oriented offense or a child-victim oriented offense, both as defined in section 2950.01 of the Revised Code, if, in relation to that offense, the offender has been adjudicated ~~as being~~ a sexual predator or a child-victim predator, both as defined in section 2950.01 of the Revised Code;

(7) A felony violation of any law that arose out of the same facts and circumstances and same act as did a charge against the person of a violation of section 2903.11, 2911.01, 2911.02, or 2911.12 of the Revised Code that previously was dismissed or amended;

(8) A conspiracy to commit a violation of section 2903.01, 2903.02, 2905.01, 2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code;

(9) Complicity in committing a violation of section 2903.01, 2903.02, 2903.11, 2905.01, 2907.02, 2907.03, 2907.04, 2907.05, 2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code or a violation of section 2907.12 of the Revised Code as it existed prior to September 3, 1996.

(E) The director of rehabilitation and correction or a chief

administrative officer of a jail, community-based correctional 2296  
facility, or other detention facility described in division (B) of 2297  
this section in relation to the following offenses is not required 2298  
to comply with this section until the superintendent of the bureau 2299  
of criminal identification and investigation gives agencies in the 2300  
criminal justice system, as defined in section 181.51 of the 2301  
Revised Code, in the state official notification that the state 2302  
DNA laboratory is prepared to accept DNA specimens of that nature: 2303

(1) A violation of section 2903.11, 2911.01, 2911.02, or 2304  
2911.12 of the Revised Code; 2305

(2) An attempt to commit a violation of section 2903.01 or 2306  
2903.02 of the Revised Code; 2307

(3) A felony violation of any law that arose out of the same 2308  
facts and circumstances and same act as did a charge against the 2309  
person of a violation of section 2903.11, 2911.01, 2911.02, or 2310  
2911.12 of the Revised Code that previously was dismissed or 2311  
amended; 2312

(4) A conspiracy to commit a violation of section 2903.01, 2313  
2903.02, 2905.01, 2911.01, 2911.02, 2911.11, or 2911.12 of the 2314  
Revised Code; 2315

(5) Complicity in committing a violation of section 2903.01, 2316  
2903.02, 2903.11, 2905.01, 2907.02, 2907.03, 2907.04, 2907.05, 2317  
2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code or a 2318  
violation of section 2907.12 of the Revised Code as it existed 2319  
prior to September 3, 1996. 2320

**Sec. 2907.07.** (A) No person shall solicit a person who is 2321  
less than thirteen years of age to engage in sexual activity with 2322  
the offender, whether or not the offender knows the age of such 2323  
person. 2324

(B) ~~No person shall solicit a person of the same sex to~~ 2325

~~engage in sexual activity with the offender, when the offender~~ 2326  
~~knows such solicitation is offensive to the other person, or is~~ 2327  
~~reckless in that regard.~~ 2328

~~(C)~~ No person shall solicit another, not the spouse of the 2329  
offender, to engage in sexual conduct with the offender, when the 2330  
offender is eighteen years of age or older and four or more years 2331  
older than the other person, and the other person is thirteen 2332  
years of age or older but less than sixteen years of age, whether 2333  
or not the offender knows the age of the other person. 2334

~~(D)~~(C) No person shall solicit another by means of a 2335  
telecommunications device, as defined in section 2913.01 of the 2336  
Revised Code, to engage in sexual activity with the offender when 2337  
the offender is eighteen years of age or older and either of the 2338  
following applies: 2339

(1) The other person is less than thirteen years of age, and 2340  
the offender knows that the other person is less than thirteen 2341  
years of age or is reckless in that regard. 2342

(2) The other person is a law enforcement officer posing as a 2343  
person who is less than thirteen years of age, and the offender 2344  
believes that the other person is less than thirteen years of age 2345  
or is reckless in that regard. 2346

~~(E)~~(D) No person shall solicit another by means of a 2347  
telecommunications device, as defined in section 2913.01 of the 2348  
Revised Code, to engage in sexual activity with the offender when 2349  
the offender is eighteen years of age or older and either of the 2350  
following applies: 2351

(1) The other person is thirteen years of age or older but 2352  
less than sixteen years of age, the offender knows that the other 2353  
person is thirteen years of age or older but less than sixteen 2354  
years of age or is reckless in that regard, and the offender is 2355  
four or more years older than the other person. 2356

(2) The other person is a law enforcement officer posing as a person who is thirteen years of age or older but less than sixteen years of age, the offender believes that the other person is thirteen years of age or older but less than sixteen years of age or is reckless in that regard, and the offender is four or more years older than the age the law enforcement officer assumes in posing as the person who is thirteen years of age or older but less than sixteen years of age.

~~(F)~~(E) Divisions ~~(D)~~(C) and ~~(E)~~(D) of this section apply to any solicitation that is contained in a transmission via a telecommunications device that either originates in this state or is received in this state.

~~(G)~~(F) Whoever violates this section is guilty of importuning. ~~Violation of division (B) of this section is a misdemeanor of the first degree.~~ A violation of division (A) or ~~(D)~~(C) of this section is a felony of the fourth degree on a first offense and a felony of the third degree on each subsequent offense. A violation of division ~~(C)~~(B) or ~~(E)~~(D) of this section is a felony of the fifth degree on a first offense and a felony of the fourth degree on each subsequent offense.

**Sec. 2919.24.** (A) No person, including a parent, guardian, or other custodian of a child, shall do 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 2152.02 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 2152.02 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 applicable, to send a notice of intent to reside, 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 Chapters 2152. and 2950. of the Revised Code.

(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.

**Sec. 2929.01.** As used in this chapter:

(A)(1) "Alternative residential facility" means, subject to division (A)(2) of this section, any facility other than an offender's home or residence in which an offender is assigned to live and that satisfies all of the following criteria:

(a) It provides programs through which the offender may seek or maintain employment or may receive education, training, treatment, or habilitation.

(b) It has received the appropriate license or certificate for any specialized education, training, treatment, habilitation, or other service that it provides from the government agency that is responsible for licensing or certifying that type of education, training, treatment, habilitation, or service.

(2) "Alternative residential facility" does not include a community-based correctional facility, jail, halfway house, or prison.

(B) "Bad time" means the time by which the parole board administratively extends an offender's stated prison term or terms

pursuant to section 2967.11 of the Revised Code because the parole board finds by clear and convincing evidence that the offender, while serving the prison term or terms, committed an act that is a criminal offense under the law of this state or the United States, whether or not the offender is prosecuted for the commission of that act.

(C) "Basic probation supervision" means a requirement that the offender maintain contact with a person appointed to supervise the offender in accordance with sanctions imposed by the court or imposed by the parole board pursuant to section 2967.28 of the Revised Code. "Basic probation supervision" includes basic parole supervision and basic post-release control supervision.

(D) "Cocaine," "crack cocaine," "hashish," "L.S.D.," and "unit dose" have the same meanings as in section 2925.01 of the Revised Code.

(E) "Community-based correctional facility" means a community-based correctional facility and program or district community-based correctional facility and program developed pursuant to sections 2301.51 to 2301.56 of the Revised Code.

(F) "Community control sanction" means a sanction that is not a prison term and that is described in section 2929.15, 2929.16, 2929.17, or 2929.18 of the Revised Code.

(G) "Controlled substance," "marihuana," "schedule I," and "schedule II" have the same meanings as in section 3719.01 of the Revised Code.

(H) "Curfew" means a requirement that an offender during a specified period of time be at a designated place.

(I) "Day reporting" means a sanction pursuant to which an offender is required each day to report to and leave a center or other approved reporting location at specified times in order to participate in work, education or training, treatment, and other

approved programs at the center or outside the center. 2448

(J) "Deadly weapon" has the same meaning as in section 2449  
2923.11 of the Revised Code. 2450

(K) "Drug and alcohol use monitoring" means a program under 2451  
which an offender agrees to submit to random chemical analysis of 2452  
the offender's blood, breath, or urine to determine whether the 2453  
offender has ingested any alcohol or other drugs. 2454

(L) "Drug treatment program" means any program under which a 2455  
person undergoes assessment and treatment designed to reduce or 2456  
completely eliminate the person's physical or emotional reliance 2457  
upon alcohol, another drug, or alcohol and another drug and under 2458  
which the person may be required to receive assessment and 2459  
treatment on an outpatient basis or may be required to reside at a 2460  
facility other than the person's home or residence while 2461  
undergoing assessment and treatment. 2462

(M) "Economic loss" means any economic detriment suffered by 2463  
a victim as a result of the commission of a felony and includes 2464  
any loss of income due to lost time at work because of any injury 2465  
caused to the victim, and any property loss, medical cost, or 2466  
funeral expense incurred as a result of the commission of the 2467  
felony. 2468

(N) "Education or training" includes study at, or in 2469  
conjunction with a program offered by, a university, college, or 2470  
technical college or vocational study and also includes the 2471  
completion of primary school, secondary school, and literacy 2472  
curricula or their equivalent. 2473

(O) "Electronically monitored house arrest" has the same 2474  
meaning as in section 2929.23 of the Revised Code. 2475

(P) "Eligible offender" has the same meaning as in section 2476  
2929.23 of the Revised Code except as otherwise specified in 2477  
section 2929.20 of the Revised Code. 2478



(Q) "Firearm" has the same meaning as in section 2923.11 of 2479  
the Revised Code. 2480

(R) "Halfway house" means a facility licensed by the division 2481  
of parole and community services of the department of 2482  
rehabilitation and correction pursuant to section 2967.14 of the 2483  
Revised Code as a suitable facility for the care and treatment of 2484  
adult offenders. 2485

(S) "House arrest" means a period of confinement of an 2486  
eligible offender that is in the eligible offender's home or in 2487  
other premises specified by the sentencing court or by the parole 2488  
board pursuant to section 2967.28 of the Revised Code, that may be 2489  
electronically monitored house arrest, and during which all of the 2490  
following apply: 2491

(1) The eligible offender is required to remain in the 2492  
eligible offender's home or other specified premises for the 2493  
specified period of confinement, except for periods of time during 2494  
which the eligible offender is at the eligible offender's place of 2495  
employment or at other premises as authorized by the sentencing 2496  
court or by the parole board. 2497

(2) The eligible offender is required to report periodically 2498  
to a person designated by the court or parole board. 2499

(3) The eligible offender is subject to any other 2500  
restrictions and requirements that may be imposed by the 2501  
sentencing court or by the parole board. 2502

(T) "Intensive probation supervision" means a requirement 2503  
that an offender maintain frequent contact with a person appointed 2504  
by the court, or by the parole board pursuant to section 2967.28 2505  
of the Revised Code, to supervise the offender while the offender 2506  
is seeking or maintaining necessary employment and participating 2507  
in training, education, and treatment programs as required in the 2508  
court's or parole board's order. "Intensive probation supervision" 2509

includes intensive parole supervision and intensive post-release control supervision. 2510  
2511

(U) "Jail" means a jail, workhouse, minimum security jail, or other residential facility used for the confinement of alleged or convicted offenders that is operated by a political subdivision or a combination of political subdivisions of this state. 2512  
2513  
2514  
2515

(V) "Delinquent child" has the same meaning as in section 2152.02 of the Revised Code. 2516  
2517

(W) "License violation report" means a report that is made by a sentencing court, or by the parole board pursuant to section 2967.28 of the Revised Code, to the regulatory or licensing board or agency that issued an offender a professional license or a license or permit to do business in this state and that specifies that the offender has been convicted of or pleaded guilty to an offense that may violate the conditions under which the offender's professional license or license or permit to do business in this state was granted or an offense for which the offender's professional license or license or permit to do business in this state may be revoked or suspended. 2518  
2519  
2520  
2521  
2522  
2523  
2524  
2525  
2526  
2527  
2528

(X) "Major drug offender" means an offender who is convicted of or pleads guilty to the possession of, sale of, or offer to sell any drug, compound, mixture, preparation, or substance that consists of or contains at least one thousand grams of hashish; at least one hundred grams of crack cocaine; at least one thousand grams of cocaine that is not crack cocaine; at least two thousand five hundred unit doses or two hundred fifty grams of heroin; at least five thousand unit doses of L.S.D. or five hundred grams of L.S.D. in a liquid concentrate, liquid extract, or liquid distillate form; or at least one hundred times the amount of any other schedule I or II controlled substance other than marihuana that is necessary to commit a felony of the third degree pursuant to section 2925.03, 2925.04, 2925.05, or 2925.11 of the Revised 2529  
2530  
2531  
2532  
2533  
2534  
2535  
2536  
2537  
2538  
2539  
2540  
2541

Code that is based on the possession of, sale of, or offer to sell 2542  
the controlled substance. 2543

(Y) "Mandatory prison term" means any of the following: 2544

(1) Subject to division (Y)(2) of this section, the term in 2545  
prison that must be imposed for the offenses or circumstances set 2546  
forth in divisions (F)(1) to (8) or (F)(12) of section 2929.13 and 2547  
division (D) of section 2929.14 of the Revised Code. Except as 2548  
provided in sections 2925.02, 2925.03, 2925.04, 2925.05, and 2549  
2925.11 of the Revised Code, unless the maximum or another 2550  
specific term is required under section 2929.14 of the Revised 2551  
Code, a mandatory prison term described in this division may be 2552  
any prison term authorized for the level of offense. 2553

(2) The term of sixty or one hundred twenty days in prison 2554  
that a sentencing court is required to impose for a third or 2555  
fourth degree felony OMVI offense pursuant to division (G)(2) of 2556  
section 2929.13 and division (A)(4) or (8) of section 4511.99 of 2557  
the Revised Code. 2558

(3) The term in prison imposed pursuant to section 2971.03 of 2559  
the Revised Code for the offenses and in the circumstances 2560  
described in division (F)(11) of section 2929.13 of the Revised 2561  
Code and that term as modified or terminated pursuant to section 2562  
2971.05 of the Revised Code. 2563

(Z) "Monitored time" means a period of time during which an 2564  
offender continues to be under the control of the sentencing court 2565  
or parole board, subject to no conditions other than leading a 2566  
law-abiding life. 2567

(AA) "Offender" means a person who, in this state, is 2568  
convicted of or pleads guilty to a felony or a misdemeanor. 2569

(BB) "Prison" means a residential facility used for the 2570  
confinement of convicted felony offenders that is under the 2571  
control of the department of rehabilitation and correction but 2572

does not include a violation sanction center operated under 2573  
authority of section 2967.141 of the Revised Code. 2574

(CC) "Prison term" includes any of the following sanctions 2575  
for an offender: 2576

(1) A stated prison term; 2577

(2) A term in a prison shortened by, or with the approval of, 2578  
the sentencing court pursuant to section 2929.20, 2967.26, 2579  
5120.031, 5120.032, or 5120.073 of the Revised Code; 2580

(3) A term in prison extended by bad time imposed pursuant to 2581  
section 2967.11 of the Revised Code or imposed for a violation of 2582  
post-release control pursuant to section 2967.28 of the Revised 2583  
Code. 2584

(DD) "Repeat violent offender" means a person about whom both 2585  
of the following apply: 2586

(1) The person has been convicted of or has pleaded guilty 2587  
to, and is being sentenced for committing, for complicity in 2588  
committing, or for an attempt to commit, aggravated murder, 2589  
murder, involuntary manslaughter, a felony of the first degree 2590  
other than one set forth in Chapter 2925. of the Revised Code, a 2591  
felony of the first degree set forth in Chapter 2925. of the 2592  
Revised Code that involved an attempt to cause serious physical 2593  
harm to a person or that resulted in serious physical harm to a 2594  
person, or a felony of the second degree that involved an attempt 2595  
to cause serious physical harm to a person or that resulted in 2596  
serious physical harm to a person. 2597

(2) Either of the following applies: 2598

(a) The person previously was convicted of or pleaded guilty 2599  
to, and previously served or, at the time of the offense was 2600  
serving, a prison term for, any of the following: 2601

(i) Aggravated murder, murder, involuntary manslaughter, 2602

rape, felonious sexual penetration as it existed under section 2603  
2907.12 of the Revised Code prior to September 3, 1996, a felony 2604  
of the first or second degree that resulted in the death of a 2605  
person or in physical harm to a person, or complicity in or an 2606  
attempt to commit any of those offenses; 2607

(ii) An offense under an existing or former law of this 2608  
state, another state, or the United States that is or was 2609  
substantially equivalent to an offense listed under division 2610  
(DD)(2)(a)(i) of this section and that resulted in the death of a 2611  
person or in physical harm to a person. 2612

(b) The person previously was adjudicated a delinquent child 2613  
for committing an act that if committed by an adult would have 2614  
been an offense listed in division (DD)(2)(a)(i) or (ii) of this 2615  
section, the person was committed to the department of youth 2616  
services for that delinquent act. 2617

(EE) "Sanction" means any penalty imposed upon an offender 2618  
who is convicted of or pleads guilty to an offense, as punishment 2619  
for the offense. "Sanction" includes any sanction imposed pursuant 2620  
to any provision of sections 2929.14 to 2929.18 of the Revised 2621  
Code. 2622

(FF) "Sentence" means the sanction or combination of 2623  
sanctions imposed by the sentencing court on an offender who is 2624  
convicted of or pleads guilty to a felony. 2625

(GG) "Stated prison term" means the prison term, mandatory 2626  
prison term, or combination of all prison terms and mandatory 2627  
prison terms imposed by the sentencing court pursuant to section 2628  
2929.14 or 2971.03 of the Revised Code. "Stated prison term" 2629  
includes any credit received by the offender for time spent in 2630  
jail awaiting trial, sentencing, or transfer to prison for the 2631  
offense and any time spent under house arrest or electronically 2632  
monitored house arrest imposed after earning credits pursuant to 2633

section 2967.193 of the Revised Code. 2634

(HH) "Victim-offender mediation" means a reconciliation or 2635  
mediation program that involves an offender and the victim of the 2636  
offense committed by the offender and that includes a meeting in 2637  
which the offender and the victim may discuss the offense, discuss 2638  
restitution, and consider other sanctions for the offense. 2639

(II) "Fourth degree felony OMVI offense" means a violation of 2640  
division (A) of section 4511.19 of the Revised Code that, under 2641  
section 4511.99 of the Revised Code, is a felony of the fourth 2642  
degree. 2643

(JJ) "Mandatory term of local incarceration" means the term 2644  
of sixty or one hundred twenty days in a jail, a community-based 2645  
correctional facility, a halfway house, or an alternative 2646  
residential facility that a sentencing court may impose upon a 2647  
person who is convicted of or pleads guilty to a fourth degree 2648  
felony OMVI offense pursuant to division (G)(1) of section 2929.13 2649  
of the Revised Code and division (A)(4) or (8) of section 4511.99 2650  
of the Revised Code. 2651

(KK) "Designated homicide, assault, or kidnapping offense," 2652  
"sexual motivation specification," "sexually violent offense," 2653  
"sexually violent predator," and "sexually violent predator 2654  
specification" have the same meanings as in section 2971.01 of the 2655  
Revised Code. 2656

(LL) "Habitual sex offender," "sexually oriented offense," 2657  
~~and~~ "sexual predator," "registration-exempt sexually oriented 2658  
offense," "child-victim oriented offense," "habitual child-victim 2659  
offender," and "child-victim predator" have the same meanings as 2660  
in section 2950.01 of the Revised Code. 2661

(MM) An offense is "committed in the vicinity of a child" if 2662  
the offender commits the offense within thirty feet of or within 2663  
the same residential unit as a child who is under eighteen years 2664

of age, regardless of whether the offender knows the age of the 2665  
child or whether the offender knows the offense is being committed 2666  
within thirty feet of or within the same residential unit as the 2667  
child and regardless of whether the child actually views the 2668  
commission of the offense. 2669

(NN) "Family or household member" has the same meaning as in 2670  
section 2919.25 of the Revised Code. 2671

(OO) "Motor vehicle" and "manufactured home" have the same 2672  
meanings as in section 4501.01 of the Revised Code. 2673

(PP) "Detention" and "detention facility" have the same 2674  
meanings as in section 2921.01 of the Revised Code. 2675

(QQ) "Third degree felony OMVI offense" means a violation of 2676  
division (A) of section 4511.19 of the Revised Code that, under 2677  
section 4511.99 of the Revised Code, is a felony of the third 2678  
degree. 2679

(RR) "Random drug testing" has the same meaning as in section 2680  
5120.63 of the Revised Code. 2681

(SS) "Felony sex offense" has the same meaning as in section 2682  
2957.28 of the Revised Code. 2683

(TT) "Body armor" has the same meaning as in section 2684  
2941.1411 of the Revised Code. 2685

**Sec. 2929.13.** (A) Except as provided in division (E), (F), or 2686  
(G) of this section and unless a specific sanction is required to 2687  
be imposed or is precluded from being imposed pursuant to law, a 2688  
court that imposes a sentence upon an offender for a felony may 2689  
impose any sanction or combination of sanctions on the offender 2690  
that are provided in sections 2929.14 to 2929.18 of the Revised 2691  
Code. The sentence shall not impose an unnecessary burden on state 2692  
or local government resources. 2693

If the offender is eligible to be sentenced to community 2694

control sanctions, the court shall consider the appropriateness of 2695  
imposing a financial sanction pursuant to section 2929.18 of the 2696  
Revised Code or a sanction of community service pursuant to 2697  
section 2929.17 of the Revised Code as the sole sanction for the 2698  
offense. Except as otherwise provided in this division, if the 2699  
court is required to impose a mandatory prison term for the 2700  
offense for which sentence is being imposed, the court also may 2701  
impose a financial sanction pursuant to section 2929.18 of the 2702  
Revised Code but may not impose any additional sanction or 2703  
combination of sanctions under section 2929.16 or 2929.17 of the 2704  
Revised Code. 2705

If the offender is being sentenced for a fourth degree felony 2706  
OMVI offense or for a third degree felony OMVI offense, in 2707  
addition to the mandatory term of local incarceration or the 2708  
mandatory prison term required for the offense by division (G)(1) 2709  
or (2) of this section, the court shall impose upon the offender a 2710  
mandatory fine in accordance with division (B)(3) of section 2711  
2929.18 of the Revised Code and may impose whichever of the 2712  
following is applicable: 2713

(1) For a fourth degree felony OMVI offense for which 2714  
sentence is imposed under division (G)(1) of this section, an 2715  
additional community control sanction or combination of community 2716  
control sanctions under section 2929.16 or 2929.17 of the Revised 2717  
Code; 2718

(2) For a third or fourth degree felony OMVI offense for 2719  
which sentence is imposed under division (G)(2) of this section, 2720  
an additional prison term as described in division (D)(4) of 2721  
section 2929.14 of the Revised Code. 2722

(B)(1) Except as provided in division (B)(2), (E), (F), or 2723  
(G) of this section, in sentencing an offender for a felony of the 2724  
fourth or fifth degree, the sentencing court shall determine 2725  
whether any of the following apply: 2726



(a) In committing the offense, the offender caused physical harm to a person.	2727 2728
(b) In committing the offense, the offender attempted to cause or made an actual threat of physical harm to a person with a deadly weapon.	2729 2730 2731
(c) In committing the offense, the offender attempted to cause or made an actual threat of physical harm to a person, and the offender previously was convicted of an offense that caused physical harm to a person.	2732 2733 2734 2735
(d) The offender held a public office or position of trust and the offense related to that office or position; the offender's position obliged the offender to prevent the offense or to bring those committing it to justice; or the offender's professional reputation or position facilitated the offense or was likely to influence the future conduct of others.	2736 2737 2738 2739 2740 2741
(e) The offender committed the offense for hire or as part of an organized criminal activity.	2742 2743
(f) The offense is a sex offense that is a fourth or fifth degree felony violation of section 2907.03, 2907.04, 2907.05, 2907.22, 2907.31, 2907.321, 2907.322, 2907.323, or 2907.34 of the Revised Code.	2744 2745 2746 2747
(g) The offender at the time of the offense was serving, or the offender previously had served, a prison term.	2748 2749
(h) The offender committed the offense while under a community control sanction, while on probation, or while released from custody on a bond or personal recognizance.	2750 2751 2752
(i) The offender committed the offense while in possession of a firearm.	2753 2754
(2)(a) If the court makes a finding described in division (B)(1)(a), (b), (c), (d), (e), (f), (g), (h), or (i) of this	2755 2756

section and if the court, after considering the factors set forth 2757  
in section 2929.12 of the Revised Code, finds that a prison term 2758  
is consistent with the purposes and principles of sentencing set 2759  
forth in section 2929.11 of the Revised Code and finds that the 2760  
offender is not amenable to an available community control 2761  
sanction, the court shall impose a prison term upon the offender. 2762

(b) Except as provided in division (E), (F), or (G) of this 2763  
section, if the court does not make a finding described in 2764  
division (B)(1)(a), (b), (c), (d), (e), (f), (g), (h), or (i) of 2765  
this section and if the court, after considering the factors set 2766  
forth in section 2929.12 of the Revised Code, finds that a 2767  
community control sanction or combination of community control 2768  
sanctions is consistent with the purposes and principles of 2769  
sentencing set forth in section 2929.11 of the Revised Code, the 2770  
court shall impose a community control sanction or combination of 2771  
community control sanctions upon the offender. 2772

(C) Except as provided in division (E), (F), or (G) of this 2773  
section, in determining whether to impose a prison term as a 2774  
sanction for a felony of the third degree or a felony drug offense 2775  
that is a violation of a provision of Chapter 2925. of the Revised 2776  
Code and that is specified as being subject to this division for 2777  
purposes of sentencing, the sentencing court shall comply with the 2778  
purposes and principles of sentencing under section 2929.11 of the 2779  
Revised Code and with section 2929.12 of the Revised Code. 2780

(D) Except as provided in division (E) or (F) of this 2781  
section, for a felony of the first or second degree and for a 2782  
felony drug offense that is a violation of any provision of 2783  
Chapter 2925., 3719., or 4729. of the Revised Code for which a 2784  
presumption in favor of a prison term is specified as being 2785  
applicable, it is presumed that a prison term is necessary in 2786  
order to comply with the purposes and principles of sentencing 2787  
under section 2929.11 of the Revised Code. Notwithstanding the 2788

presumption established under this division, the sentencing court 2789  
may impose a community control sanction or a combination of 2790  
community control sanctions instead of a prison term on an 2791  
offender for a felony of the first or second degree or for a 2792  
felony drug offense that is a violation of any provision of 2793  
Chapter 2925., 3719., or 4729. of the Revised Code for which a 2794  
presumption in favor of a prison term is specified as being 2795  
applicable if it makes both of the following findings: 2796

(1) A community control sanction or a combination of 2797  
community control sanctions would adequately punish the offender 2798  
and protect the public from future crime, because the applicable 2799  
factors under section 2929.12 of the Revised Code indicating a 2800  
lesser likelihood of recidivism outweigh the applicable factors 2801  
under that section indicating a greater likelihood of recidivism. 2802

(2) A community control sanction or a combination of 2803  
community control sanctions would not demean the seriousness of 2804  
the offense, because one or more factors under section 2929.12 of 2805  
the Revised Code that indicate that the offender's conduct was 2806  
less serious than conduct normally constituting the offense are 2807  
applicable, and they outweigh the applicable factors under that 2808  
section that indicate that the offender's conduct was more serious 2809  
than conduct normally constituting the offense. 2810

(E)(1) Except as provided in division (F) of this section, 2811  
for any drug offense that is a violation of any provision of 2812  
Chapter 2925. of the Revised Code and that is a felony of the 2813  
third, fourth, or fifth degree, the applicability of a presumption 2814  
under division (D) of this section in favor of a prison term or of 2815  
division (B) or (C) of this section in determining whether to 2816  
impose a prison term for the offense shall be determined as 2817  
specified in section 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 2818  
2925.11, 2925.13, 2925.22, 2925.23, 2925.36, or 2925.37 of the 2819  
Revised Code, whichever is applicable regarding the violation. 2820

(2) If an offender who was convicted of or pleaded guilty to a felony violates the conditions of a community control sanction imposed for the offense solely by reason of producing positive results on a drug test, the court, as punishment for the violation of the sanction, shall not order that the offender be imprisoned unless the court determines on the record either of the following:

(a) The offender had been ordered as a sanction for the felony to participate in a drug treatment program, in a drug education program, or in narcotics anonymous or a similar program, and the offender continued to use illegal drugs after a reasonable period of participation in the program.

(b) The imprisonment of the offender for the violation is consistent with the purposes and principles of sentencing set forth in section 2929.11 of the Revised Code.

(F) Notwithstanding divisions (A) to (E) of this section, the court shall impose a prison term or terms under sections 2929.02 to 2929.06, section 2929.14, or section 2971.03 of the Revised Code and except as specifically provided in section 2929.20 or 2967.191 of the Revised Code or when parole is authorized for the offense under section 2967.13 of the Revised Code shall not reduce the terms pursuant to section 2929.20, section 2967.193, or any other provision of Chapter 2967. or Chapter 5120. of the Revised Code for any of the following offenses:

(1) Aggravated murder when death is not imposed or murder;

(2) Any rape, regardless of whether force was involved and regardless of the age of the victim, or an attempt to commit rape if, had the offender completed the rape that was attempted, the offender would have been subject to a sentence of life imprisonment or life imprisonment without parole for the rape;

(3) Gross sexual imposition or sexual battery, if the victim is under thirteen years of age, if the offender previously was

convicted of or pleaded guilty to rape, the former offense of 2852  
felonious sexual penetration, gross sexual imposition, or sexual 2853  
battery, and if the victim of the previous offense was under 2854  
thirteen years of age; 2855

(4) A felony violation of section 2903.04, 2903.06, 2903.08, 2856  
2903.11, 2903.12, or 2903.13 of the Revised Code if the section 2857  
requires the imposition of a prison term; 2858

(5) A first, second, or third degree felony drug offense for 2859  
which section 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 2860  
2925.11, 2925.13, 2925.22, 2925.23, 2925.36, 2925.37, 3719.99, or 2861  
4729.99 of the Revised Code, whichever is applicable regarding the 2862  
violation, requires the imposition of a mandatory prison term; 2863

(6) Any offense that is a first or second degree felony and 2864  
that is not set forth in division (F)(1), (2), (3), or (4) of this 2865  
section, if the offender previously was convicted of or pleaded 2866  
guilty to aggravated murder, murder, any first or second degree 2867  
felony, or an offense under an existing or former law of this 2868  
state, another state, or the United States that is or was 2869  
substantially equivalent to one of those offenses; 2870

(7) Any offense that is a third degree felony and that is 2871  
listed in division (DD)(1) of section 2929.01 of the Revised Code 2872  
if the offender previously was convicted of or pleaded guilty to 2873  
any offense that is listed in division (DD)(2)(a)(i) or (ii) of 2874  
section 2929.01 of the Revised Code; 2875

(8) Any offense, other than a violation of section 2923.12 of 2876  
the Revised Code, that is a felony, if the offender had a firearm 2877  
on or about the offender's person or under the offender's control 2878  
while committing the felony, with respect to a portion of the 2879  
sentence imposed pursuant to division (D)(1)(a) of section 2929.14 2880  
of the Revised Code for having the firearm; 2881

(9) Any offense of violence that is a felony, if the offender 2882

wore or carried body armor while committing the felony offense of 2883  
violence, with respect to the portion of the sentence imposed 2884  
pursuant to division (D)(1)(d) of section 2929.14 of the Revised 2885  
Code for wearing or carrying the body armor; 2886

(10) Corrupt activity in violation of section 2923.32 of the 2887  
Revised Code when the most serious offense in the pattern of 2888  
corrupt activity that is the basis of the offense is a felony of 2889  
the first degree; 2890

(11) Any sexually violent offense for which the offender also 2891  
is convicted of or pleads guilty to a sexually violent predator 2892  
specification that was included in the indictment, count in the 2893  
indictment, or information charging the sexually violent offense; 2894

(12) A violation of division (A)(1) or (2) of section 2921.36 2895  
of the Revised Code, or a violation of division (C) of that 2896  
section involving an item listed in division (A)(1) or (2) of that 2897  
section, if the offender is an officer or employee of the 2898  
department of rehabilitation and correction. 2899

(G) Notwithstanding divisions (A) to (E) of this section, if 2900  
an offender is being sentenced for a fourth degree felony OMVI 2901  
offense or for a third degree felony OMVI offense, the court shall 2902  
impose upon the offender a mandatory term of local incarceration 2903  
or a mandatory prison term in accordance with the following: 2904

(1) If the offender is being sentenced for a fourth degree 2905  
felony OMVI offense, the court may impose upon the offender a 2906  
mandatory term of local incarceration of sixty days as specified 2907  
in division (A)(4) of section 4511.99 of the Revised Code or a 2908  
mandatory term of local incarceration of one hundred twenty days 2909  
as specified in division (A)(8) of that section. The court shall 2910  
not reduce the term pursuant to section 2929.20, 2967.193, or any 2911  
other provision of the Revised Code. The court that imposes a 2912  
mandatory term of local incarceration under this division shall 2913

specify whether the term is to be served in a jail, a 2914  
community-based correctional facility, a halfway house, or an 2915  
alternative residential facility, and the offender shall serve the 2916  
term in the type of facility specified by the court. A mandatory 2917  
term of local incarceration imposed under division (G)(1) of this 2918  
section is not subject to extension under section 2967.11 of the 2919  
Revised Code, to a period of post-release control under section 2920  
2967.28 of the Revised Code, or to any other Revised Code 2921  
provision that pertains to a prison term. 2922

(2) If the offender is being sentenced for a third degree 2923  
felony OMVI offense, or if the offender is being sentenced for a 2924  
fourth degree felony OMVI offense and the court does not impose a 2925  
mandatory term of local incarceration under division (G)(1) of 2926  
this section, the court shall impose upon the offender a mandatory 2927  
prison term of sixty days as specified in division (A)(4) of 2928  
section 4511.99 of the Revised Code or a mandatory prison term of 2929  
one hundred twenty days as specified in division (A)(8) of that 2930  
section. The court shall not reduce the term pursuant to section 2931  
2929.20, 2967.193, or any other provision of the Revised Code. In 2932  
no case shall an offender who once has been sentenced to a 2933  
mandatory term of local incarceration pursuant to division (G)(1) 2934  
of this section for a fourth degree felony OMVI offense be 2935  
sentenced to another mandatory term of local incarceration under 2936  
that division for any violation of division (A) of section 4511.19 2937  
of the Revised Code. The court shall not sentence the offender to 2938  
a community control sanction under section 2929.16 or 2929.17 of 2939  
the Revised Code. The department of rehabilitation and correction 2940  
may place an offender sentenced to a mandatory prison term under 2941  
this division in an intensive program prison established pursuant 2942  
to section 5120.033 of the Revised Code if the department gave the 2943  
sentencing judge prior notice of its intent to place the offender 2944  
in an intensive program prison established under that section and 2945  
if the judge did not notify the department that the judge 2946

disapproved the placement. Upon the establishment of the initial 2947  
intensive program prison pursuant to section 5120.033 of the 2948  
Revised Code that is privately operated and managed by a 2949  
contractor pursuant to a contract entered into under section 9.06 2950  
of the Revised Code, both of the following apply: 2951

(a) The department of rehabilitation and correction shall 2952  
make a reasonable effort to ensure that a sufficient number of 2953  
offenders sentenced to a mandatory prison term under this division 2954  
are placed in the privately operated and managed prison so that 2955  
the privately operated and managed prison has full occupancy. 2956

(b) Unless the privately operated and managed prison has full 2957  
occupancy, the department of rehabilitation and correction shall 2958  
not place any offender sentenced to a mandatory prison term under 2959  
this division in any intensive program prison established pursuant 2960  
to section 5120.033 of the Revised Code other than the privately 2961  
operated and managed prison. 2962

(H) If an offender is being sentenced for a sexually oriented 2963  
offense committed on or after January 1, 1997, the judge shall 2964  
require the offender to submit to a DNA specimen collection 2965  
procedure pursuant to section 2901.07 of the Revised Code if 2966  
either of the following applies: 2967

(1) The offense was a sexually violent offense, and the 2968  
offender also was convicted of or pleaded guilty to a sexually 2969  
violent predator specification that was included in the 2970  
indictment, count in the indictment, or information charging the 2971  
sexually violent offense. 2972

(2) The judge imposing sentence for the sexually oriented 2973  
offense determines pursuant to division (B) of section 2950.09 of 2974  
the Revised Code that the offender is a sexual predator. 2975

(I) If an offender is being sentenced for a sexually oriented 2976  
offense that is not a registration-exempt sexually oriented 2977



~~offense or for a child-victim oriented offense~~ committed on or 2978  
after January 1, 1997, the judge shall include in the sentence a 2979  
summary of the offender's ~~duty to register pursuant to section~~ 2980  
~~duties imposed under sections~~ 2950.04 ~~of the Revised Code, the~~ 2981  
~~offender's duty to provide notice of a change in residence address~~ 2982  
~~and register the new residence address pursuant to section,~~ 2983  
~~2950.041,~~ 2950.05 ~~of the Revised Code, the offender's duty to~~ 2984  
~~periodically verify the offender's current residence address~~ 2985  
~~pursuant to section, and~~ 2950.06 of the Revised Code, and the 2986  
duration of the duties. The judge shall inform the offender, at 2987  
the time of sentencing, of those duties and of their duration and, 2988  
if required under division (A)(2) of section 2950.03 of the 2989  
Revised Code, shall perform the duties specified in that section. 2990

(J)(1) Except as provided in division (J)(2) of this section, 2991  
when considering sentencing factors under this section in relation 2992  
to an offender who is convicted of or pleads guilty to an attempt 2993  
to commit an offense in violation of section 2923.02 of the 2994  
Revised Code, the sentencing court shall consider the factors 2995  
applicable to the felony category of the violation of section 2996  
2923.02 of the Revised Code instead of the factors applicable to 2997  
the felony category of the offense attempted. 2998

(2) When considering sentencing factors under this section in 2999  
relation to an offender who is convicted of or pleads guilty to an 3000  
attempt to commit a drug abuse offense for which the penalty is 3001  
determined by the amount or number of unit doses of the controlled 3002  
substance involved in the drug abuse offense, the sentencing court 3003  
shall consider the factors applicable to the felony category that 3004  
the drug abuse offense attempted would be if that drug abuse 3005  
offense had been committed and had involved an amount or number of 3006  
unit doses of the controlled substance that is within the next 3007  
lower range of controlled substance amounts than was involved in 3008  
the attempt. 3009

(K) As used in this section, "drug abuse offense" has the same meaning as in section 2925.01 of the Revised Code.

**Sec. 2929.19.** (A)(1) The court shall hold a sentencing hearing before imposing a sentence under this chapter upon an offender who was convicted of or pleaded guilty to a felony and before resentencing an offender who was convicted of or pleaded guilty to a felony and whose case was remanded pursuant to section 2953.07 or 2953.08 of the Revised Code. At the hearing, the offender, the prosecuting attorney, the victim or the victim's representative in accordance with section 2930.14 of the Revised Code, and, with the approval of the court, any other person may present information relevant to the imposition of sentence in the case. The court shall inform the offender of the verdict of the jury or finding of the court and ask the offender whether the offender has anything to say as to why sentence should not be imposed upon the offender.

(2) Except as otherwise provided in this division, before imposing sentence on an offender who is being sentenced for a sexually oriented offense that was committed on or after January 1, 1997, that is not a registration-exempt sexually oriented offense, and that is not a sexually violent offense, ~~and~~ before imposing sentence on an offender who is being sentenced for a sexually violent offense committed on or after January 1, 1997, and who was not charged with a sexually violent predator specification in the indictment, count in the indictment, or information charging the sexually violent offense, and before imposing sentence on or after May 7, 2002, on an offender who is being sentenced for a sexually oriented offense that is not a registration-exempt sexually oriented offense and who was acquitted of a sexually violent predator specification included in the indictment, count in the indictment, or information charging

the sexually oriented offense, the court shall conduct a hearing 3041  
in accordance with division (B) of section 2950.09 of the Revised 3042  
Code to determine whether the offender is a sexual predator. The 3043  
court shall not conduct a hearing under that division if the 3044  
offender is being sentenced for a sexually violent offense ~~and,~~ if 3045  
a sexually violent predator specification was included in the 3046  
indictment, count in the indictment, or information charging the 3047  
sexually violent offense, and if the offender was convicted of or 3048  
pleaded guilty to that sexually violent predator specification. 3049  
Before imposing sentence on an offender who is being sentenced for 3050  
a sexually oriented offense that is not a registration-exempt 3051  
sexually oriented offense, the court also shall comply with 3052  
division (E) of section 2950.09 of the Revised Code. 3053

Before imposing sentence on or after the effective date of 3054  
this amendment on an offender who is being sentenced for a 3055  
child-victim oriented offense, regardless of when the offense was 3056  
committed, the court shall conduct a hearing in accordance with 3057  
division (B) of section 2950.091 of the Revised Code to determine 3058  
whether the offender is a child-victim predator. Before imposing 3059  
sentence on an offender who is being sentenced for a child-victim 3060  
oriented offense, the court also shall comply with division (E) of 3061  
section 2950.091 of the Revised Code. 3062

(B)(1) At the sentencing hearing, the court, before imposing 3063  
sentence, shall consider the record, any information presented at 3064  
the hearing by any person pursuant to division (A) of this 3065  
section, and, if one was prepared, the presentence investigation 3066  
report made pursuant to section 2951.03 of the Revised Code or 3067  
Criminal Rule 32.2, and any victim impact statement made pursuant 3068  
to section 2947.051 of the Revised Code. 3069

(2) The court shall impose a sentence and shall make a 3070  
finding that gives its reasons for selecting the sentence imposed 3071  
in any of the following circumstances: 3072

(a) Unless the offense is a sexually violent offense for 3073  
which the court is required to impose sentence pursuant to 3074  
division (G) of section 2929.14 of the Revised Code, if it imposes 3075  
a prison term for a felony of the fourth or fifth degree or for a 3076  
felony drug offense that is a violation of a provision of Chapter 3077  
2925. of the Revised Code and that is specified as being subject 3078  
to division (B) of section 2929.13 of the Revised Code for 3079  
purposes of sentencing, its reasons for imposing the prison term, 3080  
based upon the overriding purposes and principles of felony 3081  
sentencing set forth in section 2929.11 of the Revised Code, and 3082  
any factors listed in divisions (B)(1)(a) to (i) of section 3083  
2929.13 of the Revised Code that it found to apply relative to the 3084  
offender. 3085

(b) If it does not impose a prison term for a felony of the 3086  
first or second degree or for a felony drug offense that is a 3087  
violation of a provision of Chapter 2925. of the Revised Code and 3088  
for which a presumption in favor of a prison term is specified as 3089  
being applicable, its reasons for not imposing the prison term and 3090  
for overriding the presumption, based upon the overriding purposes 3091  
and principles of felony sentencing set forth in section 2929.11 3092  
of the Revised Code, and the basis of the findings it made under 3093  
divisions (D)(1) and (2) of section 2929.13 of the Revised Code. 3094

(c) If it imposes consecutive sentences under section 2929.14 3095  
of the Revised Code, its reasons for imposing the consecutive 3096  
sentences; 3097

(d) If the sentence is for one offense and it imposes a 3098  
prison term for the offense that is the maximum prison term 3099  
allowed for that offense by division (A) of section 2929.14 of the 3100  
Revised Code, its reasons for imposing the maximum prison term; 3101

(e) If the sentence is for two or more offenses arising out 3102  
of a single incident and it imposes a prison term for those 3103

offenses that is the maximum prison term allowed for the offense 3104  
of the highest degree by division (A) of section 2929.14 of the 3105  
Revised Code, its reasons for imposing the maximum prison term. 3106

(3) Subject to division (B)(4) of this section, if the 3107  
sentencing court determines at the sentencing hearing that a 3108  
prison term is necessary or required, the court shall do all of 3109  
the following: 3110

(a) Impose a stated prison term; 3111

(b) Notify the offender that, as part of the sentence, the 3112  
parole board may extend the stated prison term for certain 3113  
violations of prison rules for up to one-half of the stated prison 3114  
term; 3115

(c) Notify the offender that the offender will be supervised 3116  
under section 2967.28 of the Revised Code after the offender 3117  
leaves prison if the offender is being sentenced for a felony of 3118  
the first degree or second degree, for a felony sex offense, or 3119  
for a felony of the third degree in the commission of which the 3120  
offender caused or threatened to cause physical harm to a person; 3121

(d) Notify the offender that the offender may be supervised 3122  
under section 2967.28 of the Revised Code after the offender 3123  
leaves prison if the offender is being sentenced for a felony of 3124  
the third, fourth, or fifth degree that is not subject to division 3125  
(B)(3)(c) of this section; 3126

(e) Notify the offender that, if a period of supervision is 3127  
imposed following the offender's release from prison, as described 3128  
in division (B)(3)(c) or (d) of this section, and if the offender 3129  
violates that supervision or a condition of post-release control 3130  
imposed under division (B) of section 2967.131 of the Revised 3131  
Code, the parole board may impose a prison term, as part of the 3132  
sentence, of up to one-half of the stated prison term originally 3133  
imposed upon the offender; 3134

(f) Require that the offender not ingest or be injected with a drug of abuse and submit to random drug testing as provided in section 341.26, 753.33, or 5120.63 of the Revised Code, whichever is applicable to the offender who is serving a prison term, and require that the results of the drug test administered under any of those sections indicate that the offender did not ingest or was not injected with a drug of abuse.

(4) If the offender is being sentenced for a sexually violent offense that the offender committed on or after January 1, 1997, and the offender 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, if the offender is being sentenced for a sexually oriented offense that is not a registration-exempt sexually oriented offense and that the offender committed on or after January 1, 1997, and the court imposing the sentence has determined pursuant to division (B) of section 2950.09 of the Revised Code that the offender is a sexual predator, if the offender is being sentenced on or after the effective date of this amendment for a child-victim oriented offense and the court imposing the sentence has determined pursuant to division (B) of section 2950.091 of the Revised Code that the offender is a child-victim predator, or if the offender is being sentenced for an aggravated sexually oriented offense as defined in section 2950.01 of the Revised Code ~~that the offender committed on or after the effective date of this amendment,~~ the court shall include in the offender's sentence a statement that the offender has been adjudicated ~~as being~~ a sexual predator, has been adjudicated a child-victim predator, or has been convicted of or pleaded guilty to an aggravated sexually oriented offense, whichever is applicable, and shall comply with the requirements of section 2950.03 of the Revised Code. Additionally, in the

circumstances described in division (G) of section 2929.14 of the Revised Code, the court shall impose sentence on the offender as described in that division.

(5) If the sentencing court determines at the sentencing hearing that a community control sanction should be imposed and the court is not prohibited from imposing a community control sanction, the court shall impose a community control sanction. The court shall notify the offender that, if the conditions of the sanction are violated, if the offender commits a violation of any law, or if the offender leaves this state without the permission of the court or the offender's probation officer, the court may impose a longer time under the same sanction, may impose a more restrictive sanction, or may impose a prison term on the offender and shall indicate the specific prison term that may be imposed as a sanction for the violation, as selected by the court from the range of prison terms for the offense pursuant to section 2929.14 of the Revised Code.

(6) Before imposing a financial sanction under section 2929.18 of the Revised Code or a fine under section 2929.25 of the Revised Code, the court shall consider the offender's present and future ability to pay the amount of the sanction or fine.

(7) If the sentencing court sentences the offender to a sanction of confinement pursuant to section 2929.14 or 2929.16 of the Revised Code that is to be served in a local detention facility, as defined in section 2929.35 of the Revised Code, and if the local detention facility is covered by a policy adopted pursuant to section 307.93, 341.14, 341.19, 341.21, 341.23, 753.02, 753.04, 753.16, 2301.56, or 2947.19 of the Revised Code and section 2929.37 of the Revised Code, both of the following apply:

(a) The court shall specify both of the following as part of the sentence:

(i) If the offender is presented with an itemized bill 3199  
pursuant to section 2929.37 of the Revised Code for payment of the 3200  
costs of confinement, the offender is required to pay the bill in 3201  
accordance with that section. 3202

(ii) If the offender does not dispute the bill described in 3203  
division (B)(7)(a)(i) of this section and does not pay the bill by 3204  
the times specified in section 2929.37 of the Revised Code, the 3205  
clerk of the court may issue a certificate of judgment against the 3206  
offender as described in that section. 3207

(b) The sentence automatically includes any certificate of 3208  
judgment issued as described in division (B)(7)(a)(ii) of this 3209  
section. 3210

(C)(1) If the offender is being sentenced for a fourth degree 3211  
felony OMVI offense under division (G)(1) of section 2929.13 of 3212  
the Revised Code, the court shall impose the mandatory term of 3213  
local incarceration in accordance with that division, shall impose 3214  
a mandatory fine in accordance with division (B)(3) of section 3215  
2929.18 of the Revised Code, and, in addition, may impose 3216  
additional sanctions as specified in sections 2929.15, 2929.16, 3217  
2929.17, and 2929.18 of the Revised Code. The court shall not 3218  
impose a prison term on the offender. 3219

(2) If the offender is being sentenced for a third or fourth 3220  
degree felony OMVI offense under division (G)(2) of section 3221  
2929.13 of the Revised Code, the court shall impose the mandatory 3222  
prison term in accordance with that division, shall impose a 3223  
mandatory fine in accordance with division (B)(3) of section 3224  
2929.18 of the Revised Code, and, in addition, may impose an 3225  
additional prison term as specified in section 2929.14 of the 3226  
Revised Code. The court shall not impose any community control 3227  
sanction on the offender. 3228

(D) The sentencing court, pursuant to division (K) of section 3229



2929.14 of the Revised Code, may recommend placement of the 3230  
offender in a program of shock incarceration under section 3231  
5120.031 of the Revised Code or an intensive program prison under 3232  
section 5120.032 of the Revised Code, disapprove placement of the 3233  
offender in a program or prison of that nature, or make no 3234  
recommendation. If the court recommends or disapproves placement, 3235  
it shall make a finding that gives its reasons for its 3236  
recommendation or disapproval. 3237

**Sec. 2929.21.** (A) Except as provided in division (G) of this 3238  
section or in section 2929.23 of the Revised Code, whoever is 3239  
convicted of or pleads guilty to a misdemeanor other than a minor 3240  
misdemeanor shall be imprisoned for a definite term or fined, or 3241  
both, which term of imprisonment and fine shall be fixed by the 3242  
court as provided in this section. 3243

Whoever is convicted of or pleads guilty to committing, 3244  
attempting to commit, or complicity in committing a violation of 3245  
section 2909.03 of the Revised Code that is a misdemeanor, or a 3246  
violation of division (A)(2) of section 2909.06 of the Revised 3247  
Code when the means used are fire or explosion, shall be required 3248  
to reimburse agencies for their investigation or prosecution costs 3249  
in accordance with section 2929.28 of the Revised Code. 3250

(B) Except as provided in division (G) of this section, terms 3251  
of imprisonment for misdemeanor shall be imposed as follows: 3252

(1) For a misdemeanor of the first degree, not more than six 3253  
months; 3254

(2) For a misdemeanor of the second degree, not more than 3255  
ninety days; 3256

(3) For a misdemeanor of the third degree, not more than 3257  
sixty days; 3258

(4) For a misdemeanor of the fourth degree, not more than 3259

thirty days.	3260
(C) Fines for misdemeanor shall be imposed as follows:	3261
(1) For a misdemeanor of the first degree, not more than one thousand dollars;	3262 3263
(2) For a misdemeanor of the second degree, not more than seven hundred fifty dollars;	3264 3265
(3) For a misdemeanor of the third degree, not more than five hundred dollars;	3266 3267
(4) For a misdemeanor of the fourth degree, not more than two hundred fifty dollars.	3268 3269
(D) Whoever is convicted of or pleads guilty to a minor misdemeanor shall be fined not more than one hundred dollars.	3270 3271
(E) The court may require a person who is convicted of or pleads guilty to a misdemeanor to make restitution for all or part of the property damage that is caused by the offense and for all or part of the value of the property that is the subject of any theft offense, as defined in division (K) of section 2913.01 of the Revised Code, that the person committed. If the court determines that the victim of the offense was sixty-five years of age or older or permanently or totally disabled at the time of the commission of the offense, the court, regardless of whether the offender knew the age of victim, shall consider this fact in favor of imposing restitution, but this fact shall not control the decision of the court.	3272 3273 3274 3275 3276 3277 3278 3279 3280 3281 3282 3283
(F)(1) If a person is sentenced to a term of imprisonment pursuant to this section and the term of imprisonment is to be served in a county jail in a county that has established a county jail industry program pursuant to section 5147.30 of the Revised Code, the court shall specify, as part of the sentence, whether the person may be considered by the county sheriff of that county	3284 3285 3286 3287 3288 3289

for participation in the county jail industry program. The court 3290  
shall retain jurisdiction to modify its specification made 3291  
pursuant to this division during the person's term of imprisonment 3292  
upon a reassessment of the person's qualifications for 3293  
participation in the program. 3294

(2) If a person is sentenced to a term of imprisonment 3295  
pursuant to this section that is to be served in a local detention 3296  
facility, as defined in section 2929.35 of the Revised Code, the 3297  
court may impose as part of the sentence pursuant to section 3298  
2929.36 of the Revised Code a reimbursement sanction, and, if the 3299  
local detention facility is covered by a policy adopted pursuant 3300  
to section 307.93, 341.14, 341.19, 341.21, 341.23, 753.02, 753.04, 3301  
753.16, 2301.56, or 2947.19 of the Revised Code and section 3302  
2929.37 of the Revised Code, both of the following apply: 3303

(a) The court shall specify both of the following as part of 3304  
the sentence: 3305

(i) If the person is presented with an itemized bill pursuant 3306  
to section 2929.37 of the Revised Code for payment of the costs of 3307  
confinement, the person is required to pay the bill in accordance 3308  
with that section. 3309

(ii) If the person does not dispute the bill described in 3310  
division (F)(2)(a)(i) of this section and does not pay the bill by 3311  
the times specified in section 2929.37 of the Revised Code, the 3312  
clerk of the court may issue a certificate of judgment against the 3313  
person as described in that section. 3314

(b) The sentence automatically includes any certificate of 3315  
judgment issued as described in division (F)(2)(a)(ii) of this 3316  
section. 3317

(G) If an offender is being sentenced for a sexually oriented 3318  
offense that is a misdemeanor committed on or after January 1, 3319  
1997, and if the judge imposing sentence for the sexually oriented 3320

offense determines pursuant to division (B) of section 2950.09 of 3321  
the Revised Code that the offender is a sexual predator, the judge 3322  
shall include in the offender's sentence a statement that the 3323  
offender has been adjudicated as being a sexual predator, shall 3324  
comply with the requirements of section 2950.03 of the Revised 3325  
Code, and shall require the offender to submit to a DNA specimen 3326  
collection procedure pursuant to section 2901.07 of the Revised 3327  
Code. 3328

(H) Before imposing sentence on an offender who is being 3329  
sentenced for a sexually oriented offense that is a misdemeanor, 3330  
that was committed on or after January 1, 1997, and that is not a 3331  
registration-exempt sexually oriented offense, the judge shall 3332  
conduct a hearing in accordance with division (B) of section 3333  
2950.09 of the Revised Code to determine whether the offender is a 3334  
sexual predator. Before imposing sentence on an offender who is 3335  
being sentenced for a sexually oriented offense that is not a 3336  
registration-exempt sexually oriented offense, the court also 3337  
shall comply with division (E) of section 2950.09 of the Revised 3338  
Code. 3339

Before imposing sentence on or after the effective date of 3340  
this amendment on an offender who is being sentenced for a 3341  
child-victim oriented offense that is a misdemeanor, regardless of 3342  
when the offense was committed, the judge shall conduct a hearing 3343  
in accordance with division (B) of section 2950.091 of the Revised 3344  
Code to determine whether the offender is a child-victim predator. 3345  
Before imposing sentence on an offender who is being sentenced for 3346  
a child-victim oriented offense, the court also shall comply with 3347  
division (E) of section 2950.091 of the Revised Code. 3348

(I) If an offender is being sentenced for a sexually oriented 3349  
offense that is not a registration-exempt sexually oriented 3350  
offense or for a child-victim oriented offense that is a 3351  
misdemeanor committed on or after January 1, 1997, the judge shall 3352

include in the sentence a summary of the offender's ~~duty to~~ 3353  
~~register pursuant to section~~ duties imposed under sections 2950.04 3354  
~~of the Revised Code, the offender's duty to provide notice of a~~ 3355  
~~change in residence address and register the new residence address~~ 3356  
~~pursuant to section, 2950.041, 2950.05 of the Revised Code, the~~ 3357  
~~offender's duty to periodically verify the offender's current~~ 3358  
~~residence address pursuant to section, and~~ 2950.06 of the Revised 3359  
Code, and the duration of the duties. The judge shall inform the 3360  
offender, at the time of sentencing, of those duties and of their 3361  
duration and, if required under division (A)(2) of section 2950.03 3362  
of the Revised Code, shall perform the duties specified in that 3363  
section. 3364

**Sec. 2935.36.** (A) The prosecuting attorney may establish 3365  
pre-trial diversion programs for adults who are accused of 3366  
committing criminal offenses and whom the prosecuting attorney 3367  
believes probably will not offend again. The programs shall be 3368  
operated pursuant to written standards approved by journal entry 3369  
by the presiding judge or, in courts with only one judge, the 3370  
judge of the court of common pleas and shall not be applicable to 3371  
any of the following: 3372

(1) Repeat offenders or dangerous offenders; 3373

(2) Persons accused of an offense of violence, of a violation 3374  
of section 2903.06, 2907.04, 2907.05, 2907.21, 2907.22, 2907.31, 3375  
2907.32, 2907.34, 2911.31, 2919.12, 2919.13, 2919.22, 2921.02, 3376  
2921.11, 2921.12, 2921.32, or 2923.20 of the Revised Code, or of a 3377  
violation of section 2905.01, 2905.02, or 2919.23 of the Revised 3378  
Code that, had it occurred prior to July 1, 1996, would have been 3379  
a violation of section 2905.04 of the Revised Code as it existed 3380  
prior to that date, with the exception that the prosecuting 3381  
attorney may permit persons accused of any such offense to enter a 3382  
pre-trial diversion program, if the prosecuting attorney finds any 3383

of the following:	3384
(a) The accused did not cause, threaten, or intend serious physical harm to any person;	3385 3386
(b) The offense was the result of circumstances not likely to recur;	3387 3388
(c) The accused has no history of prior delinquency or criminal activity;	3389 3390
(d) The accused has led a law-abiding life for a substantial time before commission of the alleged offense;	3391 3392
(e) Substantial grounds tending to excuse or justify the alleged offense.	3393 3394
(3) Persons accused of a violation of Chapter 2925. or 3719. of the Revised Code;	3395 3396
(4) Drug dependent persons or persons in danger of becoming drug dependent persons, as defined in section 3719.011 of the Revised Code. However, this division does not affect the eligibility of such persons for intervention in lieu of conviction pursuant to section 2951.041 of the Revised Code.	3397 3398 3399 3400 3401
(5) Persons accused of a violation of section 4511.19 of the Revised Code or a violation of any substantially similar municipal ordinance.	3402 3403 3404
(B) An accused who enters a diversion program shall do all of the following:	3405 3406
(1) Waive, in writing and contingent upon the accused's successful completion of the program, the accused's right to a speedy trial, the preliminary hearing, the time period within which the grand jury may consider an indictment against the accused, and arraignment, unless the hearing, indictment, or arraignment has already occurred;	3407 3408 3409 3410 3411 3412
(2) Agree, in writing, to the tolling while in the program of	3413

all periods of limitation established by statutes or rules of 3414  
court, that are applicable to the offense with which the accused 3415  
is charged and to the conditions of the diversion program 3416  
established by the prosecuting attorney. 3417

(C) The trial court, upon the application of the prosecuting 3418  
attorney, shall order the release from confinement of any accused 3419  
who has agreed to enter a pre-trial diversion program and shall 3420  
discharge and release any existing bail and release any sureties 3421  
on recognizances and shall release the accused on a recognizance 3422  
bond conditioned upon the accused's compliance with the terms of 3423  
the diversion program. The prosecuting attorney shall notify every 3424  
victim of the crime and the arresting officers of the prosecuting 3425  
attorney's intent to permit the accused to enter a pre-trial 3426  
diversion program. The victim of the crime and the arresting 3427  
officers shall have the opportunity to file written objections 3428  
with the prosecuting attorney prior to the commencement of the 3429  
pre-trial diversion program. 3430

(D) If the accused satisfactorily completes the diversion 3431  
program, the prosecuting attorney shall recommend to the trial 3432  
court that the charges against the accused be dismissed, and the 3433  
court, upon the recommendation of the prosecuting attorney, shall 3434  
dismiss the charges. If the accused chooses not to enter the 3435  
prosecuting attorney's diversion program, or if the accused 3436  
violates the conditions of the agreement pursuant to which the 3437  
accused has been released, the accused may be brought to trial 3438  
upon the charges in the manner provided by law, and the waiver 3439  
executed pursuant to division (B)(1) of this section shall be void 3440  
on the date the accused is removed from the program for the 3441  
violation. 3442

(E) As used in this section: 3443

(1) "Repeat offender" means a person who has a history of 3444  
persistent criminal activity and whose character and condition 3445

reveal a substantial risk that the person will commit another 3446  
offense. It is prima-facie evidence that a person is a repeat 3447  
offender if any of the following applies: 3448

(a) Having been convicted of one or more offenses of violence 3449  
and having been imprisoned pursuant to sentence for any such 3450  
offense, the person commits a subsequent offense of violence; 3451

(b) Having been convicted of one or more sexually oriented 3452  
offenses or child-victim oriented offenses, both as defined in 3453  
section 2950.01 of the Revised Code, and having been imprisoned 3454  
pursuant to sentence for one or more of those offenses, the person 3455  
commits a subsequent sexually oriented offense or child-victim 3456  
oriented offense; 3457

(c) Having been convicted of one or more theft offenses as 3458  
defined in section 2913.01 of the Revised Code and having been 3459  
imprisoned pursuant to sentence for one or more of those theft 3460  
offenses, the person commits a subsequent theft offense; 3461

(d) Having been convicted of one or more felony drug abuse 3462  
offenses as defined in section 2925.01 of the Revised Code and 3463  
having been imprisoned pursuant to sentence for one or more of 3464  
those felony drug abuse offenses, the person commits a subsequent 3465  
felony drug abuse offense; 3466

(e) Having been convicted of two or more felonies and having 3467  
been imprisoned pursuant to sentence for one or more felonies, the 3468  
person commits a subsequent offense; 3469

(f) Having been convicted of three or more offenses of any 3470  
type or degree other than traffic offenses, alcoholic intoxication 3471  
offenses, or minor misdemeanors and having been imprisoned 3472  
pursuant to sentence for any such offense, the person commits a 3473  
subsequent offense. 3474

(2) "Dangerous offender" means a person who has committed an 3475  
offense, whose history, character, and condition reveal a 3476



substantial risk that the person will be a danger to others, and 3477  
whose conduct has been characterized by a pattern of repetitive, 3478  
compulsive, or aggressive behavior with heedless indifference to 3479  
the consequences. 3480

**Sec. 2950.01.** As used in this chapter, unless the context 3481  
clearly requires otherwise: 3482

(A) "Confinement" includes, but is not limited to, a 3483  
community residential sanction imposed pursuant to section 2929.16 3484  
of the Revised Code. 3485

(B) "Habitual sex offender" means, except when a juvenile 3486  
judge removes this classification pursuant to division (A)(2) of 3487  
section 2152.84 or division (C)(2) of section 2152.85 of the 3488  
Revised Code, a person to whom both of the following apply: 3489

(1) The person is convicted of or pleads guilty to a sexually 3490  
oriented offense that is not a registration-exempt sexually 3491  
oriented offense, or the person is adjudicated a delinquent child 3492  
for committing on or after January 1, 2002, a sexually oriented 3493  
offense that is not a registration-exempt sexually oriented 3494  
offense, was fourteen years of age or older at the time of 3495  
committing the offense, and is classified a juvenile ~~sex~~ offender 3496  
registrant based on that adjudication. 3497

(2) One of the following applies to the person: 3498

(a) Regarding a person who is an offender, the person 3499  
previously was convicted of or pleaded guilty to one or more 3500  
sexually oriented offenses or child-victim oriented offenses or 3501  
previously was adjudicated a delinquent child for committing one 3502  
or more sexually oriented offenses or child-victim oriented 3503  
offenses and was classified a juvenile ~~sex~~ offender registrant or 3504  
out-of-state juvenile ~~sex~~ offender registrant based on one or more 3505  
of those adjudications, regardless of when the offense was 3506

committed and regardless of the person's age at the time of 3507  
committing the offense. 3508

(b) Regarding a delinquent child, the person previously was 3509  
convicted of, pleaded guilty to, or was adjudicated a delinquent 3510  
child for committing one or more sexually oriented offenses or 3511  
child-victim oriented offenses, regardless of when the offense was 3512  
committed and regardless of the person's age at the time of 3513  
committing the offense. 3514

(C) "Prosecutor" has the same meaning as in section 2935.01 3515  
of the Revised Code. 3516

(D) "Sexually oriented offense" means any of the following: 3517

(1) Any of the following violations or offenses committed by 3518  
a person eighteen years of age or older: 3519

(a) Regardless of the age of the victim of the offense, a 3520  
violation of section 2907.02, 2907.03, ~~or~~ 2907.05, or 2907.07 of 3521  
the Revised Code; 3522

(b) Any of the following offenses involving a minor, in the 3523  
circumstances specified: 3524

(i) A violation of division (A)(4) of section 2905.01~~7~~ 3525  
~~2905.02, 2905.03, 2905.05,~~ or section 2907.04 ~~or former section~~ 3526  
~~2905.04, 2907.06, or 2907.08~~ of the Revised Code, when the victim 3527  
of the offense is under eighteen years of age; 3528

(ii) A violation of section 2907.21 of the Revised Code when 3529  
the person who is compelled, induced, procured, encouraged, 3530  
solicited, requested, or facilitated to engage in, paid or agreed 3531  
to be paid for, or allowed to engage in the sexual activity in 3532  
question is under eighteen years of age; 3533

(iii) A violation of division (A)(1) or (3) of section 3534  
2907.321 or 2907.322 of the Revised Code; 3535

(iv) A violation of division (A)(1) or (2) of section 3536

2907.323 of the Revised Code; 3537

(v) A violation of division (B)(5) of section 2919.22 of the 3538  
Revised Code when the child who is involved in the offense is 3539  
under eighteen years of age; 3540

(vi) A violation of division ~~(D) or (E)~~ of section 2907.07 of 3541  
the Revised Code (A)(1), (2), (3), or (5) of section 2905.01, of 3542  
section 2903.211, 2905.02, 2905.03, or 2905.05, or of former 3543  
section 2905.04 of the Revised Code, when the victim of the 3544  
offense is under eighteen years of age and the offense is 3545  
committed with a sexual motivation. 3546

(c) Regardless of the age of the victim of the offense, a 3547  
violation of section 2903.01, 2903.02, 2903.11, or 2905.01 of the 3548  
Revised Code, or of division (A) of section 2903.04 of the Revised 3549  
Code, that is committed with a ~~purpose to gratify the sexual needs~~ 3550  
~~or desires of the offender~~ sexual motivation; 3551

(d) A sexually violent offense; 3552

(e) A violation of section 2907.06 or 2907.08 of the Revised 3553  
Code when the victim of the offense is eighteen years of age or 3554  
older, or a violation of section 2903.211 of the Revised Code when 3555  
the victim of the offense is eighteen years of age or older and 3556  
the offense is committed with a sexual motivation; 3557

(f) A violation of any former law of this state, any existing 3558  
or former municipal ordinance or law of another state or the 3559  
United States, ~~or~~ any existing or former law applicable in a 3560  
military court or in an Indian tribal court, or any existing or 3561  
former law of any nation other than the United States, that is or 3562  
was substantially equivalent to any offense listed in division 3563  
(D)(1)(a), (b), (c), ~~or~~ (d), or (e) of this section; 3564

~~(f)~~(g) An attempt to commit, conspiracy to commit, or 3565  
complicity in committing any offense listed in division (D)(1)(a), 3566  
(b), (c), (d), ~~or~~ (e), or (f) of this section. 3567

(2) An act committed by a person under eighteen years of age 3568  
that is any of the following: 3569

(a) Subject to division (D)(2)(~~h~~)(i) of this section, 3570  
regardless of the age of the victim of the violation, a violation 3571  
of section 2907.02, 2907.03, ~~or~~ 2907.05, or 2907.07 of the Revised 3572  
Code; 3573

(b) Subject to division (D)(2)(~~h~~)(i) of this section, any of 3574  
the following acts involving a minor in the circumstances 3575  
specified: 3576

(i) A violation of division (A)(4) of section 2905.01 or 3577  
2905.02 section 2907.06 or 2907.08 of the Revised Code, ~~or of~~ 3578  
~~former section 2905.04 of the Revised Code,~~ when the victim of the 3579  
violation is under eighteen years of age; 3580

(ii) A violation of section 2907.21 of the Revised Code when 3581  
the person who is compelled, induced, procured, encouraged, 3582  
solicited, requested, or facilitated to engage in, paid or agreed 3583  
to be paid for, or allowed to engage in the sexual activity in 3584  
question is under eighteen years of age; 3585

(iii) A violation of division (B)(5) of section 2919.22 of 3586  
the Revised Code when the child who is involved in the violation 3587  
is under eighteen years of age; 3588

(iv) A violation of division (A)(1), (2), (3), or (5) of 3589  
section 2905.01, section 2903.211, or former section 2905.04 of 3590  
the Revised Code, when the victim of the violation is under 3591  
eighteen years of age and the offense is committed with a sexual 3592  
motivation. 3593

(c) Subject to division (D)(2)(~~h~~)(i) of this section, any 3594  
sexually violent offense that, if committed by an adult, would be 3595  
a felony of the first, second, third, or fourth degree; 3596

(d) Subject to division (D)(2)(~~h~~)(i) of this section, a 3597

violation of section 2903.01, 2903.02, 2903.11, 2905.01, or 3598  
2905.02 of the Revised Code, a violation of division (A) of 3599  
section 2903.04 of the Revised Code, or an attempt to violate any 3600  
of those sections or that division that is committed with a 3601  
~~purpose to gratify the sexual needs or desires of the child~~ 3602  
~~committing the violation~~ sexual motivation; 3603

(e) Subject to division (D)(2)~~(h)~~(i) of this section, a 3604  
violation of division (A)(1) or (3) of section 2907.321, division 3605  
(A)(1) or (3) of section 2907.322, or division (A)(1) or (2) of 3606  
section 2907.323 of the Revised Code, or an attempt to violate any 3607  
of those divisions, if the person who violates or attempts to 3608  
violate the division is four or more years older than the minor 3609  
who is the victim of the violation; 3610

(f) Subject to division (D)(2)(i) of this section, a 3611  
violation of section 2907.06 or 2907.08 of the Revised Code when 3612  
the victim of the violation is eighteen years of age or older, or 3613  
a violation of section 2903.211 of the Revised Code when the 3614  
victim of the violation is eighteen years of age or older and the 3615  
offense is committed with a sexual motivation; 3616

(g) Subject to division (D)(2)~~(h)~~(i) of this section, any 3617  
violation of any former law of this state, any existing or former 3618  
municipal ordinance or law of another state or the United States, 3619  
~~or~~ any existing or former law applicable in a military court or in 3620  
an Indian tribal court, or any existing or former law of any 3621  
nation other than the United States, that is or was substantially 3622  
equivalent to any offense listed in division (D)(2)(a), (b), (c), 3623  
(d), ~~or~~ (e), or (f) of this section and that, if committed by an 3624  
adult, would be a felony of the first, second, third, or fourth 3625  
degree; 3626

~~(g)~~(h) Subject to division (D)(2)~~(h)~~(i) of this section, any 3627  
attempt to commit, conspiracy to commit, or complicity in 3628  
committing any offense listed in division (D)(2)(a), (b), (c), 3629

(d), (e), ~~or~~ (f), or (g) of this section; 3630

~~(h)~~(i) If the child's case has been transferred for criminal 3631  
prosecution under section 2152.12 of the Revised Code, the act is 3632  
any violation listed in division (D)(1)(a), (b), (c), (d), (e), ~~or~~ 3633  
(f), or (g) of this section or would be any offense listed in any 3634  
of those divisions if committed by an adult. 3635

(E) "Sexual predator" means a person to whom either of the 3636  
following applies: 3637

(1) The person has been convicted of or pleaded guilty to 3638  
committing a sexually oriented offense that is not a 3639  
registration-exempt sexually oriented offense and is likely to 3640  
engage in the future in one or more sexually oriented offenses. 3641

(2) The person has been adjudicated a delinquent child for 3642  
committing a sexually oriented offense that is not a 3643  
registration-exempt sexually oriented offense, was fourteen years 3644  
of age or older at the time of committing the offense, was 3645  
classified a juvenile ~~sex~~ offender registrant based on that 3646  
adjudication, and is likely to engage in the future in one or more 3647  
sexually oriented offenses. 3648

(F) "Supervised release" means a release of an offender from 3649  
a prison term, a term of imprisonment, or another type of 3650  
confinement that satisfies either of the following conditions: 3651

(1) The release is on parole, a conditional pardon, or 3652  
probation, under transitional control, or under a post-release 3653  
control sanction, and it requires the person to report to or be 3654  
supervised by a parole officer, probation officer, field officer, 3655  
or another type of supervising officer. 3656

(2) The release is any type of release that is not described 3657  
in division (F)(1) of this section and that requires the person to 3658  
report to or be supervised by a probation officer, a parole 3659  
officer, a field officer, or another type of supervising officer. 3660

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

(1) The offender is convicted of or pleads guilty to committing, on or after January 1, 1997, a sexually oriented offense that is a sexually violent offense and that is not a registration-exempt sexually oriented 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 that is not a registration-exempt 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 that is not a registration-exempt 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 section 2152.82, 2152.83, 2152.84, or 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 that is not a registration-exempt sexually oriented

offense, the offender is imprisoned in a state correctional 3692  
institution on or after January 1, 1997, and the court determines 3693  
pursuant to division (C) of section 2950.09 of the Revised Code 3694  
that the offender is a sexual predator. 3695

(5) Regardless of when the sexually oriented offense was 3696  
committed, the offender or delinquent child is convicted of or 3697  
pleads guilty to, has been convicted of or pleaded guilty to, or 3698  
is adjudicated a delinquent child for committing a sexually 3699  
oriented offense that is not a registration-exempt sexually 3700  
oriented offense in another state ~~or~~, in a federal court, military 3701  
court, or ~~an~~ Indian tribal court, or in a court in any nation 3702  
other than the United States, as a result of that conviction, plea 3703  
of guilty, or adjudication, the offender or delinquent child is 3704  
required~~7~~ under the law of the jurisdiction in which the offender 3705  
was convicted or pleaded guilty or the delinquent child was 3706  
adjudicated~~7~~ to register as a sex offender until the offender's or 3707  
delinquent child's death ~~and to verify the offender's or~~ 3708  
~~delinquent child's address on at least a quarterly basis each~~ 3709  
~~year~~, and, on or after July 1, 1997, for offenders or January 1, 3710  
2002, for delinquent children~~7~~, the offender or delinquent child 3711  
moves to and resides in this state or temporarily is domiciled in 3712  
this state for more than ~~seven~~ five days or the offender is 3713  
required under section 2950.04 of the Revised Code to register a 3714  
school, institution of higher education, or place of employment 3715  
address in this state, unless a court of common pleas or juvenile 3716  
court determines that the offender or delinquent child is not a 3717  
sexual predator pursuant to division (F) of section 2950.09 of the 3718  
Revised Code. 3719

(H) "Sexually violent predator specification~~7~~," ~~and~~ "sexually 3720  
violent offense~~7~~," "sexual motivation," and "violent sex offense" 3721  
have the same meanings as in section 2971.01 of the Revised Code. 3722

(I) "Post-release control sanction" and "transitional 3723



control" have the same meanings as in section 2967.01 of the Revised Code.

(J) "Juvenile ~~sex~~ offender registrant" means a person who is adjudicated a delinquent child for committing on or after January 1, 2002, a sexually oriented offense that is not a registration-exempt sexually oriented offense or a child-victim oriented offense, who is fourteen years of age or older at the time of committing the offense, and who a juvenile court judge, pursuant to an order issued under section 2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a juvenile ~~sex~~ offender registrant and specifies has a duty to ~~register under section~~ comply with sections 2950.04, 2950.05, and 2950.06 of the Revised Code if the child committed a sexually oriented offense or with sections 2950.041, 2950.05, and 2950.06 of the Revised Code if the child committed a child-victim oriented offense. "Juvenile offender registrant" includes a person who, prior to the effective date of this amendment, was a "juvenile sex offender registrant" under the former definition of that former term.

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

(L) "Out-of-state juvenile ~~sex~~ offender registrant" means a person who is adjudicated a delinquent child ~~for committing a sexually oriented offense in a court in~~ another state ~~or~~, in a federal court, military court, or Indian tribal court, or in a court in any nation other than the United States for committing a sexually oriented offense that is not a registration-exempt sexually oriented offense or a child-victim oriented offense, who on or after January 1, 2002, moves to and resides in this state or

temporarily is domiciled in this state for more than ~~seven~~ five 3756  
days, and who has a duty under section 2950.04 of the Revised Code 3757  
~~has a duty to register in this state as described in that section~~ 3758  
and the duty to otherwise comply with that section and sections 3759  
2950.05 and 2950.06 of the Revised Code if the child committed a 3760  
sexually oriented offense or has a duty under section 2950.041 of 3761  
the Revised Code to register in this state and the duty to 3762  
otherwise comply with that section and sections 2950.05 and 3763  
2950.06 of the Revised Code if the child committed a child-victim 3764  
oriented offense. "Out-of-state juvenile offender registrant" 3765  
includes a person who, prior to the effective date of this 3766  
amendment, was an "out-of-state juvenile sex offender registrant" 3767  
under the former definition of that former term. 3768

(M) "Juvenile court judge" includes a magistrate to whom the 3769  
juvenile court judge confers duties pursuant to division (A)(15) 3770  
of section 2151.23 of the Revised Code. 3771

(N) "Adjudicated a delinquent child for committing a sexually 3772  
oriented offense" includes a child who receives a serious youthful 3773  
offender dispositional sentence under section 2152.13 of the 3774  
Revised Code for committing a sexually oriented offense. 3775

(O) "Aggravated sexually oriented offense" means a violation 3776  
of division (A)(1)(b) of section 2907.02 of the Revised Code 3777  
committed on or after June 13, 2002, or a violation of division 3778  
(A)(2) of that section committed on or after the effective date of 3779  
this amendment. 3780

(P)(1) "Presumptive registration-exempt sexually oriented 3781  
offense" means any of the following sexually oriented offenses 3782  
described in division (P)(1)(a), (b), (c), (d), or (e) of this 3783  
section, when the offense is committed by a person who previously 3784  
has not been convicted of, pleaded guilty to, or adjudicated a 3785  
delinquent child for committing any sexually oriented offense 3786  
described in division (P)(1)(a), (b), (c), (d), or (e) of this 3787

section, any other sexually oriented offense, or any child-victim 3788  
oriented offense and when the victim or intended victim of the 3789  
offense is eighteen years of age or older: 3790

(a) Any sexually oriented offense listed in division 3791  
(D)(1)(e) or (D)(2)(f) of this section committed by a person who 3792  
is eighteen years of age or older or, subject to division 3793  
(P)(1)(e) of this section, committed by a person who is under 3794  
eighteen years of age; 3795

(b) Any violation of any former law of this state, any 3796  
existing or former municipal ordinance or law of another state or 3797  
the United States, any existing or former law applicable in a 3798  
military court or in an Indian tribal court, or any existing or 3799  
former law of any nation other than the United States that is 3800  
committed by a person who is eighteen years of age or older and 3801  
that is or was substantially equivalent to any sexually oriented 3802  
offense listed in division (P)(1)(a) of this section; 3803

(c) Subject to division (P)(1)(e) of this section, any 3804  
violation of any former law of this state, any existing or former 3805  
municipal ordinance or law of another state or the United States, 3806  
any existing or former law applicable in a military court or in an 3807  
Indian tribal court, or any existing or former law of any nation 3808  
other than the United States that is committed by a person who is 3809  
under eighteen years of age, that is or was substantially 3810  
equivalent to any sexually oriented offense listed in division 3811  
(P)(1)(a) of this section, and that would be a felony of the 3812  
fourth degree if committed by an adult; 3813

(d) Any attempt to commit, conspiracy to commit, or 3814  
complicity in committing any offense listed in division (P)(1)(a) 3815  
or (b) of this section if the person is eighteen years of age or 3816  
older or, subject to division (P)(1)(e) of this section, listed in 3817  
division (P)(1)(a) or (c) of this section if the person is under 3818  
eighteen years of age. 3819

(e) Regarding an act committed by a person under eighteen years of age, if the child's case has been transferred for criminal prosecution under section 2152.12 of the Revised Code, the act is any sexually oriented offense listed in division (P)(1)(a), (b), or (d) of this section. 3820  
3821  
3822  
3823  
3824

(2) "Presumptive registration-exempt sexually oriented offense" does not include any sexually oriented offense described in division (P)(1)(a), (b), (c), (d), or (e) of this section that is committed by a person who previously has been convicted of, pleaded guilty to, or adjudicated a delinquent child for committing any sexually oriented offense described in division (P)(1)(a), (b), (c), (d), or (e) of this section or any other sexually oriented offense. 3825  
3826  
3827  
3828  
3829  
3830  
3831  
3832

(O)(1) "Registration-exempt sexually oriented offense" means any presumptive registration-exempt sexually oriented offense, if a court does not issue an order under section 2950.021 of the Revised Code that removes the presumptive exemption and subjects the offender who was convicted of or pleaded guilty to the offense to registration under section 2950.04 of the Revised Code and all other duties and responsibilities generally imposed under this chapter upon persons who are convicted of or plead guilty to any sexually oriented offense other than a presumptive registration-exempt sexually oriented offense or that removes the presumptive exemption and potentially subjects the child who was adjudicated a delinquent child for committing the offense to classification as a juvenile offender registrant under sections 2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code and to registration under section 2950.04 of the Revised Code and all other duties and responsibilities generally imposed under this chapter upon persons who are adjudicated delinquent children for committing a sexually oriented offense other than a presumptive registration-exempt sexually oriented offense. 3833  
3834  
3835  
3836  
3837  
3838  
3839  
3840  
3841  
3842  
3843  
3844  
3845  
3846  
3847  
3848  
3849  
3850  
3851

(2) "Registration-exempt sexually oriented offense" does not include a presumptive registration-exempt sexually oriented offense if a court issues an order under section 2950.021 of the Revised Code that removes the presumptive exemption and subjects the offender or potentially subjects the delinquent child to the duties and responsibilities described in division (O)(1) of this section. 3852  
3853  
3854  
3855  
3856  
3857  
3858

(R) "School" and "school premises" have the same meanings as in section 2925.01 of the Revised Code. 3859  
3860

(S)(1) "Child-victim oriented offense" means any of the following: 3861  
3862

(a) Subject to division (S)(2) of this section, any of the following violations or offenses committed by a person eighteen years of age or older, when the victim of the violation is under eighteen years of age and is not a child of the person who commits the violation: 3863  
3864  
3865  
3866  
3867

(i) A violation of division (A)(1), (2), (3), or (5) of section 2905.01, of section 2905.02, 2905.03, or 2905.05, or of former section 2905.04 of the Revised Code; 3868  
3869  
3870

(ii) A violation of any former law of this state, any existing or former municipal ordinance or law of another state or the United States, any existing or former law applicable in a military court or in an Indian tribal court, or any existing or former law of any nation other than the United States, that is or was substantially equivalent to any offense listed in division (S)(1)(a)(i) of this section; 3871  
3872  
3873  
3874  
3875  
3876  
3877

(iii) An attempt to commit, conspiracy to commit, or complicity in committing any offense listed in division (S)(1)(a)(i) or (ii) of this section. 3878  
3879  
3880

(b) Subject to division (S)(2) of this section, an act 3881

committed by a person under eighteen years of age that is any of 3882  
the following, when the victim of the violation is under eighteen 3883  
years of age and is not a child of the person who commits the 3884  
violation: 3885

(i) Subject to division (S)(1)(b)(iv) of this section, a 3886  
violation of division (A)(1), (2), (3), or (5) of section 2905.01 3887  
or of former section 2905.04 of the Revised Code; 3888

(ii) Subject to division (S)(1)(b)(iv) of this section, any 3889  
violation of any former law of this state, any existing or former 3890  
municipal ordinance or law of another state or the United States, 3891  
any existing or former law applicable in a military court or in an 3892  
Indian tribal court, or any existing or former law of any nation 3893  
other than the United States, that is or was substantially 3894  
equivalent to any offense listed in division (S)(1)(b)(i) of this 3895  
section and that, if committed by an adult, would be a felony of 3896  
the first, second, third, or fourth degree; 3897

(iii) Subject to division (S)(1)(b)(iv) of this section, any 3898  
attempt to commit, conspiracy to commit, or complicity in 3899  
committing any offense listed in division (S)(1)(b)(i) or (ii) of 3900  
this section; 3901

(iv) If the child's case has been transferred for criminal 3902  
prosecution under section 2152.12 of the Revised Code, the act is 3903  
any violation listed in division (S)(1)(a)(i), (ii), or (iii) of 3904  
this section or would be any offense listed in any of those 3905  
divisions if committed by an adult. 3906

(2) "Child-victim oriented offense" does not include any 3907  
offense identified in division (S)(1)(a) or (b) of this section 3908  
that is a sexually violent offense. An offense identified in 3909  
division (S)(1)(a) or (b) of this section that is a sexually 3910  
violent offense is within the definition of a sexually oriented 3911  
offense. 3912

(T)(1) "Habitual child-victim offender" means, 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 to whom both of the following apply:

(a) The person is convicted of or pleads guilty to a child-victim oriented offense, or the person is adjudicated a delinquent child for committing on or after January 1, 2002, a child-victim oriented offense, was fourteen years of age or older at the time of committing the offense, and is classified a juvenile offender registrant based on that adjudication.

(b) One of the following applies to the person:

(i) Regarding a person who is an offender, the person previously was convicted of or pleaded guilty to one or more child-victim oriented offenses or previously was adjudicated a delinquent child for committing one or more child-victim oriented offenses and was classified a juvenile offender registrant or out-of-state juvenile offender registrant based on one or more of those adjudications, regardless of when the offense was committed and regardless of the person's age at the time of committing the offense.

(ii) Regarding a delinquent child, the person previously was convicted of, pleaded guilty to, or was adjudicated a delinquent child for committing one or more child-victim oriented offenses, regardless of when the offense was committed and regardless of the person's age at the time of committing the offense.

(2) "Habitual child-victim offender" includes a person who has been convicted of, pleaded guilty to, or adjudicated a delinquent child for committing, a child-victim oriented offense and who, on and after the effective date of this amendment, is automatically classified a habitual child-victim offender pursuant to division (E) of section 2950.091 of the Revised Code.

(U) "Child-victim predator" means a person to whom either of 3944  
the following applies: 3945

(1) The person has been convicted of or pleaded guilty to 3946  
committing a child-victim oriented offense and is likely to engage 3947  
in the future in one or more child-victim oriented offenses. 3948

(2) The person has been adjudicated a delinquent child for 3949  
committing a child-victim oriented offense, was fourteen years of 3950  
age or older at the time of committing the offense, was classified 3951  
a juvenile offender registrant based on that adjudication, and is 3952  
likely to engage in the future in one or more child-victim 3953  
oriented offenses. 3954

(V) An offender or delinquent child is "adjudicated as being 3955  
a child-victim predator" or "adjudicated a child-victim predator" 3956  
if any of the following applies and if, regarding a delinquent 3957  
child, that status has not been removed pursuant to section 3958  
2152.84, 2152.85, or 2950.09 of the Revised Code: 3959

(1) The offender or delinquent child has been convicted of, 3960  
pleaded guilty to, or adjudicated a delinquent child for 3961  
committing, a child-victim oriented offense and, on and after the 3962  
effective date of this amendment, is automatically classified a 3963  
child-victim predator pursuant to division (A) of section 2950.091 3964  
of the Revised Code. 3965

(2) Regardless of when the child-victim oriented offense was 3966  
committed, on or after the effective date of this amendment, the 3967  
offender is sentenced for a child-victim oriented offense, and the 3968  
sentencing judge determines pursuant to division (B) of section 3969  
2950.091 of the Revised Code that the offender is a child-victim 3970  
predator. 3971

(3) The delinquent child is adjudicated a delinquent child 3972  
for committing a child-victim oriented offense, was fourteen years 3973  
of age or older at the time of committing the offense, and has 3974



been classified a juvenile offender registrant based on that 3975  
adjudication, and the adjudicating judge or that judge's successor 3976  
in office determines pursuant to division (B) of section 2950.09 3977  
or pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 of 3978  
the Revised Code that the delinquent child is a child-victim 3979  
predator. 3980

(4) Prior to the effective date of this section, the offender 3981  
was convicted of or pleaded guilty to a child-victim oriented 3982  
offense, at the time of the conviction or guilty plea, the offense 3983  
was considered a sexually oriented offense, on or after the 3984  
effective date of this amendment, the offender is serving a term 3985  
of imprisonment in a state correctional institution, and the court 3986  
determines pursuant to division (C) of section 2950.091 of the 3987  
Revised Code that the offender is a child-victim predator. 3988

(5) Regardless of when the child-victim oriented offense was 3989  
committed, the offender or delinquent child is convicted, pleads 3990  
guilty, has been convicted, pleaded guilty, or adjudicated a 3991  
delinquent child in a court in another state, in a federal court, 3992  
military court, or Indian tribal court, or in a court in any 3993  
nation other than the United States for committing a child-victim 3994  
oriented offense, as a result of that conviction, plea of guilty, 3995  
or adjudication, the offender or delinquent child is required 3996  
under the law of the jurisdiction in which the offender was 3997  
convicted or pleaded guilty or the delinquent child was 3998  
adjudicated, to register as a child-victim offender or sex 3999  
offender until the offender's or delinquent child's death, and, on 4000  
or after July 1, 1997, for offenders or January 1, 2002, for 4001  
delinquent children the offender or delinquent child moves to and 4002  
resides in this state or temporarily is domiciled in this state 4003  
for more than five days or the offender is required under section 4004  
2950.041 of the Revised Code to register a school, institution of 4005  
higher education, or place of employment address in this state, 4006

unless a court of common pleas or juvenile court determines that 4007  
the offender or delinquent child is not a child-victim predator 4008  
pursuant to division (F) of section 2950.091 of the Revised Code. 4009

(W) "Residential premises" means the building in which a 4010  
residential unit is located and the grounds upon which that 4011  
building stands, extending to the perimeter of the property. 4012  
"Residential premises" includes any type of structure in which a 4013  
residential unit is located, including, but not limited to, 4014  
multi-unit buildings and mobile and manufactured homes. 4015

(X) "Residential unit" means a dwelling unit for residential 4016  
use and occupancy, and includes the structure or part of a 4017  
structure that is used as a home, residence, or sleeping place by 4018  
one person who maintains a household or two or more persons who 4019  
maintain a common household. 4020

(Y) "Multi-unit building" means a building in which is 4021  
located more than twelve residential units that have entry doors 4022  
that open directly into the unit from a hallway that is shared 4023  
with one or more other units. A residential unit is not considered 4024  
located in a multi-unit building if the unit does not have an 4025  
entry door that opens directly into the unit from a hallway that 4026  
is shared with one or more other units or if the unit is in a 4027  
building that is not a multi-unit building as described in this 4028  
division. 4029

**Sec. 2950.02.** (A) The general assembly hereby determines and 4030  
declares that it recognizes and finds all of the following: 4031

(1) If the public is provided adequate notice and information 4032  
about ~~sexual predators, habitual sex offenders, and certain other~~ 4033  
offenders and delinquent children who commit sexually oriented 4034  
offenses that are not registration-exempt sexually oriented 4035  
offenses or who commit child-victim oriented offenses, members of 4036  
the public and communities can develop constructive plans to 4037

prepare themselves and their children for the ~~sexual predator's,~~ 4038  
~~habitual sex offender's, or other~~ offender's or delinquent child's 4039  
release from imprisonment, a prison term, or other confinement or 4040  
detention. This allows members of the public and communities to 4041  
meet with members of law enforcement agencies to prepare and 4042  
obtain information about the rights and responsibilities of the 4043  
public and the communities and to provide education and counseling 4044  
to their children. 4045

(2) ~~Sexual predators and habitual sex~~ Sex offenders and 4046  
offenders who commit child-victim oriented offenses pose a high 4047  
risk of engaging in further ~~offenses~~ sexually abusive behavior 4048  
even after being released from imprisonment, a prison term, or 4049  
other confinement or detention, ~~and that~~ protection of members of 4050  
the public from ~~sexual predators and habitual~~ sex offenders and 4051  
offenders who commit child-victim oriented offenses is a paramount 4052  
governmental interest. 4053

(3) The penal, juvenile, and mental health components of the 4054  
justice system of this state are largely hidden from public view, 4055  
and a lack of information from any component may result in the 4056  
failure of the system to satisfy this paramount governmental 4057  
interest of public safety described in division (A)(2) of this 4058  
section. 4059

(4) Overly restrictive confidentiality and liability laws 4060  
governing the release of information about ~~sexual predators and~~ 4061  
~~habitual~~ sex offenders and offenders who commit child-victim 4062  
oriented offenses have reduced the willingness to release 4063  
information that could be appropriately released under the public 4064  
disclosure laws and have increased risks of public safety. 4065

(5) A person who is found to be a ~~sexual predator or a~~ 4066  
~~habitual~~ sex offender or to have committed a child-victim oriented 4067  
offense has a reduced expectation of privacy because of the 4068  
public's interest in public safety and in the effective operation 4069

of government. 4070

(6) The release of information about ~~sexual predators and~~ 4071  
~~habitual~~ sex offenders and offenders who commit child-victim 4072  
oriented offenses to public agencies and the general public will 4073  
further the governmental interests of public safety and public 4074  
scrutiny of the criminal, juvenile, and mental health systems as 4075  
long as the information released is rationally related to the 4076  
furtherance of those goals. 4077

(B) The general assembly hereby declares that, in providing 4078  
in this chapter for registration regarding ~~sexual predators,~~ 4079  
~~habitual sex offenders,~~ and offenders and certain delinquent 4080  
children who have committed sexually oriented offenses that are 4081  
not registration-exempt sexually oriented offenses or who have 4082  
committed child-victim oriented offenses and for community 4083  
notification regarding sexual predators ~~and,~~ child-victim 4084  
predators, habitual sex offenders, and habitual child-victim 4085  
offenders who are about to be or have been released from 4086  
imprisonment, a prison term, or other confinement or detention and 4087  
who will live in or near a particular neighborhood or who 4088  
otherwise will live in or near a particular neighborhood, it is 4089  
the general assembly's intent to protect the safety and general 4090  
welfare of the people of this state. The general assembly further 4091  
declares that it is the policy of this state to require the 4092  
exchange in accordance with this chapter of relevant information 4093  
about ~~sexual predators and habitual~~ sex offenders and offenders 4094  
who commit child-victim oriented offenses among public agencies 4095  
and officials and to authorize the release in accordance with this 4096  
chapter of necessary and relevant information about ~~sexual~~ 4097  
~~predators and habitual~~ sex offenders and offenders who commit 4098  
child-victim oriented offenses to members of the general public as 4099  
a means of assuring public protection and that the exchange or 4100  
release of that information is not punitive. 4101

Sec. 2950.021. (A) If an offender is convicted of or pleads guilty to, or a child is adjudicated a delinquent child for committing, any presumptive registration-exempt sexually oriented offense, the court that is imposing sentence on the offender for that offense or the juvenile court that is making the disposition of the delinquent child for that offense may determine, prior to imposing the sentence or making the disposition, that the offender should be subjected to registration under section 2950.04 of the Revised Code and all other duties and responsibilities generally imposed under this chapter upon persons who are convicted of or plead guilty to any sexually oriented offense other than a presumptive registration-exempt sexually oriented offense or that the child potentially should be subjected to classification as a juvenile offender registrant under sections 2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code and to registration under section 2950.04 of the Revised Code and all other duties and responsibilities generally imposed under this chapter upon persons who are adjudicated delinquent children for committing a sexually oriented offense other than a presumptive registration-exempt sexually oriented offense. The court may make a determination as described in this division without a hearing but may conduct a hearing on the matter. In making a determination under this division, the court shall consider all relevant factors, including, but not limited to, public safety, the interests of justice, and the determinations, findings, and declarations of the general assembly regarding sex offenders and child-victim offenders that are set forth in section 2950.02 of the Revised Code.

(B) If a court determines under division (A) of this section that an offender who has been convicted of or pleaded guilty to a presumptive registration-exempt sexually oriented offense should be subjected to registration under section 2950.04 of the Revised

Code and all other duties and responsibilities generally imposed 4134  
under this chapter upon persons who are convicted of or plead 4135  
guilty to any sexually oriented offense other than a presumptive 4136  
registration-exempt sexually oriented offense or that a delinquent 4137  
child potentially should be subjected to classification as a 4138  
juvenile offender registrant under sections 2152.82, 2152.83, 4139  
2152.84, or 2152.85 of the Revised Code and to registration under 4140  
section 2950.04 of the Revised Code and all other duties and 4141  
responsibilities generally imposed under this chapter upon persons 4142  
who are adjudicated delinquent children for committing a sexually 4143  
oriented offense other than a presumptive registration-exempt 4144  
sexually oriented offense, all of the following apply: 4145

(1) The court shall issue an order that contains its 4146  
determination and that removes the presumptive exemption from 4147  
registration for the sexually oriented offense, shall include the 4148  
order in the offender's sentence or in the delinquent child's 4149  
dispositional order, and shall enter the order in the record in 4150  
the case. 4151

(2) Regarding an offender, the presumptive exemption from 4152  
registration is terminated, and the offender is subject to 4153  
registration under section 2950.04 of the Revised Code and all 4154  
other duties and responsibilities generally imposed under this 4155  
chapter upon persons who are convicted of or plead guilty to any 4156  
sexually oriented offense other than a presumptive 4157  
registration-exempt sexually oriented offense. 4158

(3) Regarding a delinquent child, the presumptive exemption 4159  
from registration is terminated, the delinquent child is 4160  
potentially subject to classification as a juvenile offender 4161  
registrant under sections 2152.82, 2152.83, 2152.84, or 2152.85 of 4162  
the Revised Code and to registration under section 2950.04 of the 4163  
Revised Code and all other duties and responsibilities generally 4164  
imposed under this chapter upon persons who are adjudicated 4165

delinquent children for committing a sexually oriented offense 4166  
other than a presumptive registration-exempt sexually oriented 4167  
offense, and the juvenile court shall proceed as required and may 4168  
proceed as authorized under section 2152.82, 2152.83, 2152.84, or 4169  
2152.85 of the Revised Code regarding the child in the same manner 4170  
as for persons who are adjudicated delinquent children for 4171  
committing a sexually oriented offense other than a presumptive 4172  
registration-exempt sexually oriented offense. 4173

**Sec. 2950.03.** (A) Each person who has been convicted of, is 4174  
convicted of, has pleaded guilty to, or pleads guilty to a 4175  
sexually oriented offense that is not a registration-exempt 4176  
sexually oriented offense and who has a duty to register pursuant 4177  
to section 2950.04 of the Revised Code, ~~and~~ each person who is 4178  
adjudicated a delinquent child for committing a sexually oriented 4179  
offense that is not a registration-exempt sexually oriented 4180  
offense and who is classified ~~pursuant to section 2152.82 or~~ 4181  
~~division (A) of section 2152.83 of the Revised Code~~ a juvenile ~~sex~~ 4182  
offender registrant based on that adjudication, each person who 4183  
has been convicted of, is convicted of, has pleaded guilty to, or 4184  
pleads guilty to a child-victim oriented offense and has a duty to 4185  
register pursuant to section 2950.041 of the Revised Code, and 4186  
each person who is adjudicated a delinquent child for committing a 4187  
child-victim oriented offense and who is classified a juvenile 4188  
offender registrant based on that adjudication shall be provided 4189  
notice in accordance with this section of the offender's or 4190  
delinquent child's ~~duty to register under section~~ duties imposed 4191  
under sections 2950.04 ~~of the Revised Code, the offender's or~~ 4192  
~~delinquent child's duty to provide notice of any change in the~~ 4193  
~~offender's or delinquent child's residence address and to register~~ 4194  
~~the new residence address pursuant to section, 2950.041, 2950.05~~ 4195  
~~of the Revised Code, and the offender's or delinquent child's duty~~ 4196  
~~to periodically verify the offender's or delinquent child's~~ 4197

~~residence address pursuant to section, and~~ 2950.06 of the Revised 4198  
Code ~~and of the offender's duties to similarly register, provide~~ 4199  
~~notice of a change, and verify addresses in another state if the~~ 4200  
~~offender resides, is temporarily domiciled, attends a school or~~ 4201  
~~institution of higher education, or is employed in a state other~~ 4202  
~~than this state. A person who has been convicted of, is convicted~~ 4203  
~~of, has pleaded guilty to, or pleads guilty to a sexually oriented~~ 4204  
~~offense that is a registration-exempt sexually oriented offense,~~ 4205  
~~and a person who is or has been adjudicated a delinquent child for~~ 4206  
~~committing a sexually oriented offense that is a~~ 4207  
~~registration-exempt sexually oriented offense, does not have a~~ 4208  
~~duty to register under section 2950.04 of the Revised Code based~~ 4209  
~~on that conviction, guilty plea, or adjudication, and no notice is~~ 4210  
~~required to be provided to that person under this division based~~ 4211  
~~on that conviction, guilty plea, or adjudication.~~ The following 4212  
official shall provide the notice required under this division to 4213  
the ~~offender or delinquent child~~ specified person at the following 4214  
time: 4215

(1) Regardless of when the ~~offender~~ person committed the 4216  
sexually oriented offense ~~or child-victim oriented offense~~, if the 4217  
person is an offender who is sentenced for the sexually oriented 4218  
offense ~~or child-victim oriented offense~~ to a prison term, a term 4219  
of imprisonment, or any other type of confinement, and if, on or 4220  
after January 1, 1997, the offender is serving that term or is 4221  
under that confinement, the official in charge of the jail, 4222  
workhouse, state correctional institution, or other institution in 4223  
which the offender serves the prison term, term of imprisonment, 4224  
or confinement, or a designee of that official, shall provide the 4225  
notice to the offender before the offender is released pursuant to 4226  
any type of supervised release or before the offender otherwise is 4227  
released from the prison term, term of imprisonment, or 4228  
confinement. This division applies to a child-victim oriented 4229  
offense if the offender is sentenced for the offense on or after 4230



the effective date of this amendment or if, prior to the effective 4231  
date of this amendment, the child-victim oriented offense was a 4232  
sexually oriented offense and the offender was sentenced as 4233  
described in this division for the child-victim oriented offense 4234  
when it was designated a sexually oriented offense. If a person 4235  
was provided notice under this division prior to the effective 4236  
date of this amendment in relation to an offense that, prior to 4237  
the effective date of this amendment, was a sexually oriented 4238  
offense but that, on and after the effective date of this 4239  
amendment, is a child-victim oriented offense, the notice provided 4240  
under this division shall suffice for purposes of this section as 4241  
notice to the offender of the offender's duties under sections 4242  
2950.041, 2950.05, and 2950.06 of the Revised Code imposed as a 4243  
result of the conviction of or plea of guilty to the child-victim 4244  
oriented offense. 4245

(2) Regardless of when the ~~offender~~ person committed the 4246  
sexually oriented offense or child-victim oriented offense, if the 4247  
person is an offender who is sentenced for the sexually oriented 4248  
offense on or after January 1, 1997, or who is sentenced for the 4249  
child-victim oriented offense on or after the effective date of 4250  
this amendment and if division (A)(1) of this section does not 4251  
apply, the judge shall provide the notice to the offender at the 4252  
time of sentencing. If a person was provided notice under this 4253  
division prior to the effective date of this amendment in relation 4254  
to an offense that, prior to the effective date of this amendment, 4255  
was a sexually oriented offense but that, on and after the 4256  
effective date of this amendment, is a child-victim oriented 4257  
offense, the notice so provided under this division shall suffice 4258  
for purposes of this section as notice to the offender of the 4259  
offender's duties under sections 2950.041, 2950.05, and 2950.06 of 4260  
the Revised Code imposed as a result of the conviction of or plea 4261  
of guilty to the child-victim oriented offense. 4262

(3) If the person is an offender who committed the sexually oriented offense prior to January 1, 1997, if neither division (A)(1) nor division (A)(2) of this section applies, and if, immediately prior to January 1, 1997, the offender was a habitual sex offender who was required to register under Chapter 2950. of the Revised Code, the chief of police or sheriff with whom the offender most recently registered under that chapter, in the circumstances described in this division, shall provide the notice to the offender. If the offender has registered with a chief of police or sheriff under Chapter 2950. of the Revised Code as it existed prior to January 1, 1997, the chief of police or sheriff with whom the offender most recently registered shall provide the notice to the offender as soon as possible after January 1, 1997, as described in division (B)(1) of this section. If the offender has not registered with a chief of police or sheriff under that chapter, the failure to register shall constitute a waiver by the offender of any right to notice under this section. If an offender described in this division does not receive notice under this section, the offender is not relieved of the ~~duty to register, the duty to provide notice of any change in residence address and to register the new residence address, and the duty to periodically verify the residence address,~~ as described in division (A) of this section offender's duties imposed under sections 2950.04, 2950.05, and 2950.06 of the Revised Code.

(4) If the 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 or a child-victim predator pursuant to division (C) of section 2950.091 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~~ 4295  
~~the Revised Code a juvenile sex offender registrant, the judge~~ 4296  
~~shall provide the notice to the delinquent child at the time of~~ 4297  
~~the classification specified in division (B) of section 2152.82,~~ 4298  
~~division (D) of section 2152.83, division (C) of section 2152.84,~~ 4299  
~~or division (E) of section 2152.85 of the Revised Code, whichever~~ 4300  
~~is applicable. If a delinquent child was provided notice under~~ 4301  
~~this division prior to the effective date of this amendment in~~ 4302  
~~relation to an offense that, prior to the effective date of this~~ 4303  
~~amendment, was a sexually oriented offense but that, on and after~~ 4304  
~~the effective date of this amendment, is a child-victim oriented~~ 4305  
~~offense, the notice so provided under this division shall suffice~~ 4306  
~~for purposes of this section as notice to the delinquent child of~~ 4307  
~~the delinquent child's duties under sections 2950.041, 2950.05,~~ 4308  
~~and 2950.06 of the Revised Code imposed as a result of the~~ 4309  
~~adjudication as a delinquent child for the child-victim oriented~~ 4310  
~~offense.~~ 4311

(6) If the person is an offender in any category described in 4312  
division (A)(1), (2), (3), or (4) of this section and if, prior to 4313  
the effective date of this amendment, the offender was provided 4314  
notice of the offender's duties in accordance with that division, 4315  
not later than ninety days after the effective date of this 4316  
amendment, the sheriff with whom the offender most recently 4317  
registered or verified an address under section 2950.04, 2950.041, 4318  
2950.05, or 2950.06 of the Revised Code shall provide notice to 4319  
the offender of the offender's duties imposed on and after the 4320  
effective date of this amendment pursuant to any of those sections 4321  
to register a school, institution of higher education, or place of 4322  
employment address, provide notice of a change of that address, 4323  
and verify that address. The sheriff may provide the notice to the 4324  
offender at the time the offender registers, provides notice of a 4325  
change in, or verifies a residence, school, institution of higher 4326  
education, or place of employment address under any of those 4327

sections within the specified ninety-day period. If the offender 4328  
does not so register, provide notice of a change in, or verify an 4329  
address within the specified ninety-day period, the sheriff shall 4330  
provide the notice to the offender by sending it to the offender 4331  
at the most recent residence address available for the offender. 4332  
If the offender was required to register prior to the effective 4333  
date of this amendment and failed to do so, the failure to 4334  
register constitutes a waiver by the offender of any right to 4335  
notice under this division. If the offender has not registered 4336  
prior to the effective date of this amendment, the offender is 4337  
presumed to have knowledge of the law and of the duties referred 4338  
to in this division that are imposed on and after the effective 4339  
date of this amendment. If an offender does not receive notice 4340  
under this division, the offender is not relieved of any of the 4341  
duties described in this division. 4342

(7) If the person is an offender or delinquent child who has 4343  
a duty to register in this state pursuant to division (A)(3) of 4344  
section 2950.04 or 2950.041 of the Revised Code, the offender or 4345  
delinquent child is presumed to have knowledge of the law and of 4346  
the offender's or delinquent child's duties imposed under sections 4347  
2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code. 4348

(B)(1) The notice provided under division (A) of this section 4349  
shall inform the offender or delinquent child of the ~~offender's or~~ 4350  
~~delinquent child's~~ duty to register ~~under section 2950.04 of the~~ 4351  
~~Revised Code, to notify the appropriate officials~~ provide notice 4352  
of a change in the offender's or delinquent child's residence 4353  
address or in the offender's school, institution of higher 4354  
education, or place of employment address, as applicable, and ~~to~~ 4355  
register the new ~~residence~~ address ~~in accordance with section~~ 4356  
~~2950.05 of the Revised Code, and to periodically verify a the~~ 4357  
~~offender's or delinquent child's~~ residence address ~~under section~~ 4358  
~~or the offender's school, institution of higher education, or~~ 4359

place of employment address, as applicable, and, if applicable, to 4360  
provide notice of the offender's or delinquent child's intent to 4361  
reside, pursuant to sections 2950.04, 2950.041, 2950.05, and 4362  
2950.06 of the Revised Code. The notice shall specify that, for an 4363  
offender, it applies regarding residence addresses or school, 4364  
institution of higher education, and place of employment addresses 4365  
and that, for a delinquent child, it applies regarding residence 4366  
addresses. Additionally, it shall inform the offender of the 4367  
offender's duties to similarly register, provide notice of a 4368  
change in, and verify those addresses in states other than this 4369  
state as described in division (A) of this section. A notice 4370  
provided under division (A)(6) of this section shall state the new 4371  
duties imposed on the offender on and after the effective date of 4372  
this amendment to register, provide notice of a change in, and 4373  
periodically verify, a school, institution of higher education, or 4374  
place of employment address and specify that the new duties are in 4375  
addition to the prior duties imposed upon the offender. A notice 4376  
provided under division (A)(1), (2), (3), (4), or (5) of this 4377  
section shall comport with the following: 4378

(a) If the notice is provided to an offender under division 4379  
(A)(3) of this section, the notice shall ~~be on a form that is~~ 4380  
~~prescribed by the bureau of criminal identification and~~ 4381  
~~investigation and that states~~ state the offender's duties to 4382  
register, to file a notice of intent to reside, if applicable, to 4383  
register a new residence address or new school, institution of 4384  
higher education, or place of employment address, and to 4385  
periodically verify ~~a residence address~~ those addresses, the 4386  
offender's duties in other states as described in division (A) of 4387  
this section, and that, if the offender has any questions 4388  
concerning these duties, the offender may contact the chief of 4389  
police or sheriff who sent the form for an explanation of the 4390  
duties. If the offender appears in person before the chief of 4391  
police or sheriff, the chief or sheriff shall provide the notice 4392

as described in division (B)(1)(a) of this section, and all 4393  
provisions of this section that apply regarding a notice provided 4394  
by an official, official's designee, or judge in that manner shall 4395  
be applicable. 4396

(b) If the notice is provided to an offender under division 4397  
(A)(1), (2), or (4) of this section, the official, official's 4398  
designee, or judge shall require the offender to read and sign a 4399  
form ~~prescribed by the bureau of criminal identification and~~ 4400  
~~investigation,~~ stating that the offender's duties to register, to 4401  
file a notice of intent to reside, if applicable, to register a 4402  
new residence address or new school, institution of higher 4403  
education, or place of employment address, and to periodically 4404  
verify ~~a residence address~~ those addresses, and the offender's 4405  
duties in other states as described in division (A) of this 4406  
section have been explained to the offender. If the offender is 4407  
unable to read, the official, official's designee, or judge shall 4408  
certify on the form that the official, designee, or judge 4409  
specifically informed the offender of those duties and that the 4410  
offender indicated an understanding of those duties. 4411

(c) If the notice is provided to a delinquent child under 4412  
division (A)(5) of this section, the judge shall require the 4413  
delinquent child and the delinquent child's parent, guardian, or 4414  
custodian to read and sign a form ~~prescribed by the bureau of~~ 4415  
~~criminal identification and investigation,~~ stating that the 4416  
delinquent child's duties to register, to file a notice of intent 4417  
to reside, if applicable, to register a new residence address, and 4418  
to periodically verify ~~a residence~~ that address have been 4419  
explained to the delinquent child and to the delinquent child's 4420  
parent, guardian, or custodian. If the delinquent child or the 4421  
delinquent child's parent, guardian, or custodian is unable to 4422  
read, the judge shall certify on the form that the judge 4423  
specifically informed the delinquent child or the delinquent 4424

child's parent, guardian, or custodian of those duties and that 4425  
the delinquent child or the delinquent child's parent, guardian, 4426  
or custodian indicated an understanding of those duties. 4427

~~(d) For any (2) The notice provided under division divisions 4428  
(A)(1) to (6) of this section, the form used shall be on a form 4429  
prescribed by the bureau of criminal identification and 4430  
investigation and shall contain all of the information specified 4431  
in division (A) of this section and all of the information 4432  
required by the bureau ~~of criminal identification and~~ 4433  
~~investigation, including, but.~~ The notice provided under divisions 4434  
(A)(1) to (5) of this section shall include, but is not limited 4435  
to, ~~a statement that the subject delinquent child if applicable~~ 4436  
~~has been classified by the adjudicating juvenile court judge or~~ 4437  
~~the judge's successor in office a juvenile sex offender registrant~~ 4438  
~~and has a duty to register~~ all of the following: 4439~~

(a) For any notice provided under division (A)(1) to (5) of 4440  
this section, a statement as to whether the offender or delinquent 4441  
child has been adjudicated ~~as being~~ a sexual predator or a 4442  
child-victim predator relative to the sexually oriented offense or 4443  
child-victim oriented offense in question, a statement as to 4444  
whether the offender or delinquent child has been determined to be 4445  
a habitual sex offender or habitual child-victim offender, a 4446  
statement as to whether the offense for which the offender has the 4447  
duty to register is an aggravated sexually oriented offense 4448  
~~committed on or after the effective date of this amendment,~~ an 4449  
explanation of the offender's periodic residence address or 4450  
periodic school, institution of higher education, or place of 4451  
employment address verification process ~~and~~ or of the delinquent 4452  
child's periodic residence address verification process, an 4453  
explanation of the frequency with which the offender or delinquent 4454  
child will be required to verify ~~the residence address~~ those 4455  
addresses under that process, ~~and~~ a statement that the offender or 4456

delinquent child must verify ~~the residence address~~ those addresses 4457  
at the times specified under that process or face criminal 4458  
prosecution or a delinquent child proceeding, and an explanation 4459  
of the offender's duty to similarly register, verify, and 4460  
reregister those addresses in another state if the offender 4461  
resides in another state, attends a school or institution of 4462  
higher education in another state, or is employed in another 4463  
state. 4464

~~(e)~~(b) If the notice is provided under division (A)(4) of 4465  
this section, ~~in addition to all other information contained on~~ 4466  
~~it, the form also shall include~~ a statement that the notice 4467  
replaces any notice previously provided to the offender under 4468  
division (A)(1) of this section, a statement that the offender's 4469  
duties described in this notice supersede the duties described in 4470  
the prior notice, and a statement notifying the offender that, if 4471  
the offender already has registered under section 2950.04 or 4472  
2950.041 of the Revised Code, the offender must register again 4473  
pursuant to division (A)(6) of that section-i 4474

(c) If the notice is provided under division (A)(5) of this 4475  
section, a statement that the delinquent child has been classified 4476  
by the adjudicating juvenile court judge or the judge's successor 4477  
in office a juvenile offender registrant and has a duty to comply 4478  
with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the 4479  
Revised Code; 4480

~~(f)~~(d) If the notice is provided under division (A)(5) of 4481  
this section, ~~the form, in addition to all other information~~ 4482  
~~contained on it, shall inform the delinquent child and the~~ 4483  
~~delinquent child's parent, guardian, or custodian~~ a statement 4484  
that, if the delinquent child fails to comply with the 4485  
requirements of sections 2950.04, 2950.041, 2950.05, and 2950.06 4486  
of the Revised Code, both of the following apply: 4487

(i) If the delinquent child's failure occurs while the child 4488



is under eighteen years of age, the child is subject to 4489  
proceedings under Chapter 2152. of the Revised Code based on the 4490  
failure, but if the failure occurs while the child is eighteen 4491  
years of age or older, the child is subject to criminal 4492  
prosecution based on the failure. 4493

(ii) If the delinquent child's failure occurs while the child 4494  
is under eighteen years of age, unless the child is emancipated, 4495  
as defined in section 2919.121 of the Revised Code, the failure of 4496  
the parent, guardian, or custodian to ensure that the child 4497  
complies with those requirements is a violation of section 2919.24 4498  
of the Revised Code and may result in the prosecution of the 4499  
parent, guardian, or custodian for that violation. 4500

~~(2)~~(3)(a) After an offender described in division (A)(1), 4501  
(2), or (4) of this section has signed the form described in 4502  
~~division~~ divisions (B)(1) and (2) of this section or the official, 4503  
official's designee, or judge has certified on the form that the 4504  
form has been explained to the offender and that the offender 4505  
indicated an understanding of the duties indicated on it, the 4506  
official, official's designee, or judge shall give one copy of the 4507  
form to the offender, within three days shall send one copy of the 4508  
form to the bureau of criminal identification and investigation in 4509  
accordance with the procedures adopted pursuant to section 2950.13 4510  
of the Revised Code, and shall send one copy of the form to the 4511  
sheriff of the county in which the offender expects to reside. 4512

(b) After a chief of police or sheriff has sent a form to an 4513  
offender under division (A)(3) of this section, the chief or 4514  
sheriff shall send a copy of the form to the bureau of criminal 4515  
identification and investigation in accordance with the procedures 4516  
adopted pursuant to section 2950.13 of the Revised Code. 4517

(c) After a delinquent child described in division (A)(5) of 4518  
this section and the delinquent child's parent, guardian, or 4519  
custodian have signed the form described in ~~division~~ divisions 4520

(B)(1) and (2) of this section or the judge has certified on the 4521  
form that the form has been explained to the delinquent child or 4522  
the delinquent child's parent, guardian, or custodian and that the 4523  
delinquent child or the delinquent child's parent, guardian, or 4524  
custodian indicated an understanding of the duties and information 4525  
indicated on the form, the judge shall give a copy of the form to 4526  
both the delinquent child and to the delinquent child's parent, 4527  
guardian, or custodian, within three days shall send one copy of 4528  
the form to the bureau of criminal identification and 4529  
investigation in accordance with the procedures adopted pursuant 4530  
to section 2950.13 of the Revised Code, and shall send one copy of 4531  
the form to the sheriff of the county in which the delinquent 4532  
child expects to reside. 4533

(C) The official, official's designee, judge, chief of 4534  
police, or sheriff who is required to provide notice to an 4535  
offender or delinquent child under ~~division~~ divisions (A)(1) to 4536  
(5) of this section shall do all of the following: 4537

(1) If the notice is provided under division (A)(1), (2), 4538  
(4), or (5) of this section, the official, designee, or judge 4539  
shall determine the offender's or delinquent child's name, 4540  
identifying factors, and expected future residence address in this 4541  
state or any other state, shall obtain the offender's or 4542  
delinquent child's criminal and delinquency history, and shall 4543  
obtain a photograph and the fingerprints of the offender or 4544  
delinquent child. Regarding an offender, the official, designee, 4545  
or judge also shall obtain from the offender the offender's 4546  
current or expected future school, institution of higher 4547  
education, or place of employment address in this state, if any. 4548  
If the notice is provided by a judge under division (A)(2), (4), 4549  
or (5) of this section, the sheriff shall provide the offender's 4550  
or delinquent child's criminal and delinquency history to the 4551  
judge. The official, official's designee, or judge shall obtain 4552

this information and these items prior to giving the notice, 4553  
except that a judge may give the notice prior to obtaining the 4554  
offender's or delinquent child's criminal and delinquency history. 4555  
Within three days after receiving this information and these 4556  
items, the official, official's designee, or judge shall forward 4557  
the information and items to the bureau of criminal identification 4558  
and investigation in accordance with the forwarding procedures 4559  
adopted pursuant to section 2950.13 of the Revised Code and, to 4560  
the sheriff of the county in which the offender or delinquent 4561  
child expects to reside, and, regarding an offender, to the 4562  
sheriff of the county, if any, in which the offender attends or 4563  
will attend a school or institution of higher education or is or 4564  
will be employed. If the notice is provided under division (A)(5) 4565  
of this section and if the delinquent child has been committed to 4566  
the department of youth services or to a secure facility, the 4567  
judge, in addition to the other information and items described in 4568  
this division, also shall forward to the bureau and to the sheriff 4569  
notification that the child has been so committed. If it has not 4570  
already done so, the bureau of criminal identification and 4571  
investigation shall forward a copy of the fingerprints and 4572  
conviction data received under this division to the federal bureau 4573  
of investigation. 4574

(2) If the notice is provided under division (A)(3) of this 4575  
section, the chief of police or sheriff shall determine the 4576  
offender's name, identifying factors, and residence address in 4577  
this state or any other state, shall obtain the offender's 4578  
criminal history from the bureau of criminal identification and 4579  
investigation, and, to the extent possible, shall obtain a 4580  
photograph and the fingerprints of the offender. Regarding an 4581  
offender, the chief or sheriff also shall obtain from the offender 4582  
the offender's current or expected future school, institution of 4583  
higher education, or place of employment address in this state, if 4584  
any. Within three days after receiving this information and these 4585

items, the chief or sheriff shall forward the information and 4586  
items to the bureau of criminal identification and investigation 4587  
in accordance with the forwarding procedures adopted pursuant to 4588  
section 2950.13 of the Revised Code and, in relation to a chief of 4589  
police, to the sheriff of the county in which the offender 4590  
resides, and, regarding an offender, to the sheriff of the county, 4591  
if any, in which the offender attends or will attend a school or 4592  
institution of higher education or is or will be employed. If it 4593  
has not already done so, the bureau of criminal identification and 4594  
investigation shall forward a copy of the fingerprints and 4595  
conviction data so received to the federal bureau of 4596  
investigation. 4597

**Sec. 2950.031.** (A) No person who has been convicted of, is 4598  
convicted of, has pleaded guilty to, or pleads guilty to either a 4599  
sexually oriented offense that is not a registration-exempt 4600  
sexually oriented offense or a child-victim oriented offense shall 4601  
establish a residence or occupy residential premises within one 4602  
thousand feet of any school premises. 4603

(B) An owner or lessee of real property that is located 4604  
within one thousand feet of any school premises has a cause of 4605  
action for injunctive relief against a person who violates 4606  
division (A) of this section by establishing a residence or 4607  
occupying residential premises within one thousand feet of those 4608  
school premises. The owner or lessee shall not be required to 4609  
prove irreparable harm in order to obtain the relief. 4610

**Sec. 2950.04.** (A)(1) Each of the following types of offender 4611  
who is convicted of or pleads guilty to, or has been convicted of 4612  
or pleaded guilty to, a sexually oriented offense that is not a 4613  
registration-exempt sexually oriented offense shall register 4614  
personally with the sheriff of the county within ~~seven~~ five days 4615  
of the offender's coming into a county in which the offender 4616

resides or temporarily is domiciled for more than ~~seven~~ five days, 4617  
shall register personally with the sheriff of the county 4618  
immediately upon coming into a county in which the offender 4619  
attends a school or institution of higher education on a full-time 4620  
or part-time basis regardless of whether the offender resides or 4621  
has a temporary domicile in this state or another state, shall 4622  
register personally with the sheriff of the county in which the 4623  
offender is employed if the offender resides or has a temporary 4624  
domicile in this state and has been employed in that county for 4625  
more than fourteen days or for an aggregate period of thirty or 4626  
more days in that calendar year, shall register personally with 4627  
the sheriff of the county in which the offender then is employed 4628  
if the offender does not reside or have a temporary domicile in 4629  
this state and has been employed at any location or locations in 4630  
this state more than fourteen days or for an aggregate period of 4631  
thirty or more days in that calendar year, and shall register with 4632  
the sheriff or other appropriate person of the other state 4633  
immediately upon entering into any state other than this state in 4634  
which the offender attends a school or institution of higher 4635  
education on a full-time or part-time basis or upon being employed 4636  
in any state other than this state for more than fourteen days or 4637  
for an aggregate period of thirty or more days in that calendar 4638  
year regardless of whether the offender resides or has a temporary 4639  
domicile in this state, the other state, or a different state: 4640

(a) Regardless of when the sexually oriented offense was 4641  
committed, an offender who is sentenced for the sexually oriented 4642  
offense to a prison term, a term of imprisonment, or any other 4643  
type of confinement and, on or after July 1, 1997, is released in 4644  
any manner from the prison term, term of imprisonment, or 4645  
confinement; 4646

(b) Regardless of when the sexually oriented offense was 4647  
committed, an offender who is sentenced for a sexually oriented 4648

offense on or after July 1, 1997, and to whom division (A)(1)(a) 4649  
of this section does not apply; 4650

(c) If the sexually oriented offense was committed prior to 4651  
July 1, 1997, and neither division (A)(1)(a) nor division 4652  
(A)(1)(b) of this section applies, an offender who, immediately 4653  
prior to July 1, 1997, was a habitual sex offender who was 4654  
required to register under Chapter 2950. of the Revised Code. 4655

(2) Each child who is adjudicated a delinquent child for 4656  
committing a sexually oriented offense that is not a 4657  
registration-exempt sexually oriented offense and who is 4658  
classified a juvenile ~~sex~~ offender registrant based on that 4659  
adjudication shall register personally with the sheriff of the 4660  
county within ~~seven~~ five days of the delinquent child's coming 4661  
into a county in which the delinquent child resides or temporarily 4662  
is domiciled for more than ~~seven~~ five days. If the delinquent 4663  
child is committed for the sexually oriented offense that is not a 4664  
registration-exempt sexually oriented offense to the department of 4665  
youth services or to a secure facility that is not operated by the 4666  
department, this duty begins when the delinquent child is 4667  
discharged or released in any manner from custody in a department 4668  
of youth services secure facility or from the secure facility that 4669  
is not operated by the department, if pursuant to the discharge or 4670  
release the delinquent child is not committed to any other secure 4671  
facility of the department or any other secure facility. The 4672  
delinquent child does not have a duty to register under this 4673  
division while the child is in a department of youth services 4674  
secure facility or in a secure facility that is not operated by 4675  
the department. 4676

(3) If divisions (A)(1) and (2) of this section do not apply, 4677  
each following type of offender and each following type of 4678  
delinquent child shall register personally with the sheriff of the 4679  
county within ~~seven~~ five days of the offender's or delinquent 4680

child's coming into a county in which the offender or delinquent 4681  
child resides or temporarily is domiciled for more than ~~seven~~ five 4682  
days, and each following type of offender shall register 4683  
personally with the sheriff of the county immediately upon coming 4684  
into a county in which the offender attends a school or 4685  
institution of higher education on a full-time or part-time basis 4686  
regardless of whether the offender resides or has a temporary 4687  
domicile in this state or another state, shall register personally 4688  
with the sheriff of the county in which the offender is employed 4689  
if the offender resides or has a temporary domicile in this state 4690  
and has been employed in that county for more than fourteen days 4691  
or for an aggregate period of thirty days or more in that calendar 4692  
year, and shall register personally with the sheriff of the county 4693  
in which the offender then is employed if the offender does not 4694  
reside or have a temporary domicile in this state and has been 4695  
employed at any location or locations in this state for more than 4696  
fourteen days or for an aggregate period of thirty or more days in 4697  
that calendar year: 4698

(a) Regardless of when the sexually oriented offense was 4699  
committed, a person who is convicted ~~of~~, pleads guilty ~~to~~, or is 4700  
adjudicated a delinquent child ~~for committing a sexually oriented~~ 4701  
~~offense~~ in a court in another state ~~or~~, in a federal court, 4702  
military court, or ~~an~~ Indian tribal court, or in a court in any 4703  
nation other than the United States for committing a sexually 4704  
oriented offense that is not a registration-exempt sexually 4705  
oriented offense, if, on or after July 1, 1997, for offenders, or 4706  
January 1, 2002, for delinquent children, the offender or 4707  
delinquent child moves to and resides in this state or temporarily 4708  
is domiciled in this state for more than ~~seven~~ five days, the 4709  
offender enters this state to attend any school or institution of 4710  
higher education on a full-time or part-time basis, or the 4711  
offender is employed in this state for more than fourteen days or 4712  
for an aggregate period of thirty or more days in any calendar 4713

year, and if, at the time the offender or delinquent child moves 4714  
to and resides in this state or temporarily is domiciled in this 4715  
state for more than ~~seven~~ five days, the offender enters this 4716  
state to attend the school or institution of higher education, or 4717  
the offender is employed in this state for more than the specified 4718  
period of time, the offender or delinquent child has a duty to 4719  
register as a sex offender or child-victim offender under the law 4720  
of that other jurisdiction as a result of the conviction, guilty 4721  
plea, or adjudication. 4722

(b) Regardless of when the sexually oriented offense was 4723  
committed, a person who is convicted of, pleads guilty to, or is 4724  
adjudicated a delinquent child ~~for committing a sexually oriented~~ 4725  
~~offense in a court in~~ another state ~~or~~, in a federal court, 4726  
military court, or ~~an~~ Indian tribal court, or in a court in any 4727  
nation other than the United States for committing a sexually 4728  
oriented offense that is not a registration-exempt sexually 4729  
oriented offense, if, on or after July 1, 1997, for offenders, or 4730  
January 1, 2002, for delinquent children, the offender or 4731  
delinquent child is released from imprisonment, confinement, or 4732  
detention imposed for that offense, and if, on or after July 1, 4733  
1997, for offenders, or January 1, 2002, for delinquent children, 4734  
the offender or delinquent child moves to and resides in this 4735  
state or temporarily is domiciled in this state for more than 4736  
~~seven~~ five days, the offender enters this state to attend any 4737  
school or institution of higher education on a full-time or 4738  
part-time basis, or the offender is employed in this state for 4739  
more than fourteen days or for an aggregate period of thirty or 4740  
more days in any calendar year. The duty to register as described 4741  
in this division applies to an offender regardless of whether the 4742  
offender, at the time of moving to and residing in this state or 4743  
temporarily being domiciled in this state for more than ~~seven~~ five 4744  
days, at the time of entering into this state to attend the school 4745  
or institution of higher education, or at the time of being 4746



employed in this state for the specified period of time, has a 4747  
duty to register as a sex offender or child-victim offender under 4748  
the law of the jurisdiction in which the conviction or guilty plea 4749  
occurred. The duty to register as described in this division 4750  
applies to a delinquent child only if the delinquent child, at the 4751  
time of moving to and residing in this state or temporarily being 4752  
domiciled in this state for more than ~~seven~~ five days, has a duty 4753  
to register as a sex offender or child-victim offender under the 4754  
law of the jurisdiction in which the delinquent child adjudication 4755  
occurred or if, had the delinquent child adjudication occurred in 4756  
this state, the adjudicating juvenile court judge would have been 4757  
required to issue an order classifying the delinquent child as a 4758  
juvenile ~~sex~~ offender registrant pursuant to section 2152.82 or 4759  
division (A) of section 2152.83 of the Revised Code. 4760

(4) If division (A)(1)(a) of this section applies and if, 4761  
subsequent to the offender's release, the offender is adjudicated 4762  
~~to be~~ a sexual predator under division (C) of section 2950.09 of 4763  
the Revised Code, the offender shall register within ~~seven~~ five 4764  
days of the adjudication with the sheriff of the county in which 4765  
the offender resides or temporarily is domiciled for more than 4766  
~~seven~~ five days ~~and~~, shall register with the sheriff of any county 4767  
in which the offender subsequently resides or temporarily is 4768  
domiciled for more than ~~seven~~ five days within ~~seven~~ five days of 4769  
coming into that county, shall register within five days of the 4770  
adjudication with the sheriff of the county in which the offender 4771  
attends any school or institution of higher education on a 4772  
full-time or part-time basis or in which the offender is employed 4773  
if the offender has been employed in that county for more than 4774  
fourteen days or for an aggregate period of thirty or more days in 4775  
that calendar year regardless of whether the offender resides or 4776  
has temporary domicile in this state or another state, and shall 4777  
register within five days of the adjudication with the sheriff or 4778  
other appropriate person of any state other than this state in 4779

which the offender attends a school or institution of higher 4780  
education on a full-time or part-time basis or in which the 4781  
offender then is employed if the offender has been employed in 4782  
that state for more than fourteen days or for an aggregate period 4783  
of thirty or more days in any calendar year regardless of whether 4784  
the offender resides or has temporary domicile in this state, the 4785  
other state, or a different state. 4786

(5) A person who is adjudicated a delinquent child for 4787  
committing a sexually oriented offense that is not a 4788  
registration-exempt sexually oriented offense is not required to 4789  
register under division (A)(2) of this section unless the 4790  
delinquent child committed the offense on or after January 1, 4791  
2002, is classified a juvenile ~~sex~~ offender registrant by a 4792  
juvenile court judge pursuant to an order issued under section 4793  
2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code based on 4794  
that adjudication, and has a duty to register pursuant to division 4795  
(A)(2) of this section. 4796

(6) A person who has been convicted of, is convicted of, has 4797  
pleaded guilty to, or pleads guilty to a sexually oriented offense 4798  
that is a registration-exempt sexually oriented offense, and a 4799  
person who is or has been adjudicated a delinquent child for 4800  
committing a sexually oriented offense that is a 4801  
registration-exempt sexually oriented offense, does not have any 4802  
duty to register under this section based on that conviction, 4803  
guilty plea, or adjudication. The exemption of an offender or 4804  
delinquent child from registration under this division for a 4805  
conviction of, plea of guilty to, or delinquent child adjudication 4806  
for a registration-exempt sexually oriented offense does not 4807  
limit, affect, or supersede any duties imposed upon the offender 4808  
or delinquent child under this chapter or sections 2152.82 to 4809  
2152.85 of the Revised Code for a conviction of, plea of guilty 4810  
to, or delinquent child adjudication for any other sexually 4811

oriented offense or any child-victim oriented offense. 4812

(B) An offender or delinquent child who is required by 4813  
division (A) of this section to register in this state personally 4814  
shall obtain from the sheriff or from a designee of the sheriff a 4815  
registration form that conforms to division (C) of this section, 4816  
shall complete and sign the form, and shall return the completed 4817  
form together with the offender's or delinquent child's photograph 4818  
to the sheriff or the designee. The sheriff or designee shall sign 4819  
the form and indicate on the form the date on which it is so 4820  
returned. The registration required under this division is 4821  
complete when the offender or delinquent child returns the form, 4822  
containing the requisite information, photograph, signatures, and 4823  
date, to the sheriff or designee. 4824

(C) The registration form to be used under divisions (A) and 4825  
(B) of this section shall ~~contain the~~ include the photograph of 4826  
the offender or delinquent child who is registering and shall 4827  
contain all of the following: 4828

(1) Regarding an offender or delinquent child who is 4829  
registering under a duty imposed under division (A)(1), (2), (3), 4830  
or (4) of this section as a result of the offender or delinquent 4831  
child residing in this state or temporarily being domiciled in 4832  
this state for more than five days, the current residence address 4833  
of the offender or delinquent child who is registering, the name 4834  
and address of the offender's or delinquent child's employer, if 4835  
the offender or delinquent child is employed at the time of 4836  
registration or if the offender or delinquent child knows at the 4837  
time of registration that the offender or delinquent child will be 4838  
commencing employment with that employer subsequent to 4839  
registration, the name and address of the offender's school or 4840  
institution of higher education if the offender attends one at the 4841  
time of registration or if the offender knows at the time of 4842  
registration that the offender will be commencing attendance at 4843

that school or institution subsequent to registration, and any 4844  
other information required by the bureau of criminal 4845  
identification and investigation ~~and shall include the offender's~~ 4846  
~~or delinquent child's photograph.~~ Additionally 4847

(2) Regarding an offender who is registering under a duty 4848  
imposed under division (A)(1), (3), or (4) of this section as a 4849  
result of the offender attending a school or institution of higher 4850  
education in this state on a full-time or part-time basis or being 4851  
employed in this state or in a particular county in this state, 4852  
whichever is applicable, for more than fourteen days or for an 4853  
aggregate of thirty or more days in any calendar year, the current 4854  
address of the school, institution of higher education, or place 4855  
of employment of the offender who is registering and any other 4856  
information required by the bureau of criminal identification and 4857  
investigation. 4858

(3) Regarding an offender or delinquent child who is 4859  
registering under a duty imposed under division (A)(1), (2), (3), 4860  
or (4) of this section for any reason, if the offender ~~or~~ 4861  
~~delinquent child~~ has been adjudicated as ~~being~~ a sexual predator 4862  
relative to the sexually oriented offense in question, if the 4863  
delinquent child has been adjudicated a sexual predator relative 4864  
to the sexually oriented offense in question and the court has not 4865  
subsequently determined pursuant to ~~division (D) of section~~ 4866  
~~2950.09,~~ section 2152.84, ~~or section~~ 2152.85 of the Revised Code 4867  
that the ~~offender or~~ delinquent child no longer is a sexual 4868  
predator, ~~or~~ if the judge determined pursuant to division (C) of 4869  
section 2950.09 or pursuant to section 2152.82, 2152.83, 2152.84, 4870  
or 2152.85 of the Revised Code that the offender or delinquent 4871  
child is a habitual sex offender and the determination has not 4872  
been removed pursuant to section 2152.84 or 2152.85 of the Revised 4873  
Code, or if the offender has the duty to register as a result of 4874  
the conviction of or plea of guilty to an aggravated sexually 4875

oriented offense, the offender or delinquent child also shall 4876  
include on the signed, written registration form all of the 4877  
following information: 4878

~~(1)~~(a) A specific declaration that the person has been 4879  
adjudicated ~~as being~~ a sexual predator ~~or~~, has been determined to 4880  
be a habitual sex offender, or was convicted of or pleaded guilty 4881  
to an aggravated sexually oriented offense, whichever is 4882  
applicable; 4883

~~(2)~~(b) If the offender or delinquent child has been 4884  
adjudicated ~~as being~~ a sexual predator, the identification license 4885  
plate number of each motor vehicle the offender or delinquent 4886  
child owns and of each motor vehicle registered in the offender's 4887  
or delinquent child's name. 4888

(D) After an offender or delinquent child registers with a 4889  
sheriff pursuant to this section, the sheriff shall forward the 4890  
signed, written registration form and photograph to the bureau of 4891  
criminal identification and investigation in accordance with the 4892  
forwarding procedures adopted pursuant to section 2950.13 of the 4893  
Revised Code. If an offender registers a school, institution of 4894  
higher education, or place of employment address, or provides a 4895  
school or institution of higher education address under division 4896  
(C)(1) of this section, the sheriff also shall provide notice to 4897  
the law enforcement agency with jurisdiction over the premises of 4898  
the school, institution of higher education, or place of 4899  
employment of the offender's name and that the offender has 4900  
registered that address as a place at which the offender attends 4901  
school or an institution of higher education or at which the 4902  
offender is employed. The bureau shall include the information and 4903  
materials forwarded to it under this division in the state 4904  
registry of sex offenders and child victim offenders established 4905  
and maintained under section 2950.13 of the Revised Code. 4906

(E) No person who is required to register pursuant to 4907

divisions (A) and (B) of this section, and no person who is 4908  
required to send a notice of intent to reside pursuant to division 4909  
(G) of this section, shall fail to register or send the notice of 4910  
intent as required in accordance with those divisions or that 4911  
division. 4912

(F) An offender or delinquent child who is required to 4913  
register pursuant to divisions (A) and (B) of this section shall 4914  
register pursuant to this section for the period of time specified 4915  
in section 2950.07 of the Revised Code. 4916

(G) If an offender or delinquent child who is required by 4917  
division (A) of this section to register is adjudicated a sexual 4918  
predator or a habitual sexual offender subject to community 4919  
notification under division (C)(2) or (E) of section 2950.09 of 4920  
the Revised Code, or if an offender who is required by division 4921  
(A) of this section to register has that duty as a result of a 4922  
conviction of or plea of guilty to an aggravated sexually oriented 4923  
offense ~~committed on or after the effective date of this~~ 4924  
~~amendment~~, the offender or delinquent child also shall send the 4925  
sheriff of the county in which the offender or delinquent child 4926  
intends to reside written notice of the offender's or delinquent 4927  
child's intent to reside in the county. The offender or delinquent 4928  
child shall send the notice of intent to reside at least twenty 4929  
days prior to the date the offender or delinquent child begins to 4930  
reside in the county. The notice of intent to reside shall contain 4931  
the following information: 4932

(1) The offender's or delinquent child's name; 4933

(2) The address or addresses at which the offender or 4934  
delinquent child intends to reside; 4935

(3) The sexually oriented offense of which the offender was 4936  
convicted, to which the offender pleaded guilty, or for which the 4937  
child was adjudicated a delinquent child; 4938

(4) A statement that the offender ~~or delinquent child~~ has 4939  
been adjudicated ~~as being~~ a sexual predator, a statement that the 4940  
delinquent child has been adjudicated a sexual predator and that, 4941  
as of the date of the notice, the court has not entered a 4942  
determination that the ~~offender or~~ delinquent child no longer is a 4943  
sexual predator, a statement that the sentencing or reviewing 4944  
judge has determined that the offender or delinquent child is a 4945  
habitual sex offender and that, as of the date of the notice, the 4946  
determination has not been removed pursuant to section 2152.84 or 4947  
2152.85 of the Revised Code, or a statement that the offender was 4948  
convicted of or pleaded guilty to an aggravated sexually oriented 4949  
offense ~~committed on or after the effective date of this~~ 4950  
amendment. 4951

(H) If, immediately prior to the effective date of this 4952  
amendment, an offender or delinquent child who was convicted of, 4953  
pleaded guilty to, or adjudicated a delinquent child for 4954  
committing a sexually oriented offense was required by division 4955  
(A) of this section to register and if, on or after the effective 4956  
date of this amendment, that offense no longer is a sexually 4957  
oriented offense but instead is designated a child-victim oriented 4958  
offense, division (A)(1)(c) or (2)(b) of section 2950.041 of the 4959  
Revised Code applies regarding the offender or delinquent child 4960  
and the duty to register that is imposed pursuant to that division 4961  
shall be considered, for purposes of section 2950.07 of the 4962  
Revised Code and for all other purposes, to be a continuation of 4963  
the duty imposed upon the offender prior to the effective date of 4964  
this amendment under this section. 4965

**Sec. 2950.041.** (A)(1) Each of the following types of offender 4966  
who is convicted of or pleads guilty to, or has been convicted of 4967  
or pleaded guilty to, a child-victim oriented offense shall 4968  
register personally with the sheriff of the county within five 4969

days of the offender's coming into a county in which the offender 4970  
resides or temporarily is domiciled for more than five days, shall 4971  
register personally with the sheriff of the county immediately 4972  
upon coming into a county in which the offender attends a school 4973  
or institution of higher education on a full-time or part-time 4974  
basis regardless of whether the offender resides or has a 4975  
temporary domicile in this state or another state, shall register 4976  
personally with the sheriff of the county in which the offender is 4977  
employed if the offender resides or has a temporary domicile in 4978  
this state and has been employed in that county for more than 4979  
fourteen days or for an aggregate period of thirty or more days in 4980  
that calendar year, shall register personally with the sheriff of 4981  
the county in which the offender then is employed if the offender 4982  
does not reside or have a temporary domicile in this state and has 4983  
been employed at any location or locations in this state for more 4984  
than fourteen days or for an aggregate period of thirty or more 4985  
days in that calendar year, and shall register personally with the 4986  
sheriff or other appropriate person of the other state immediately 4987  
upon entering into any state other than this state in which the 4988  
offender attends a school or institution of higher education on a 4989  
full-time or part-time basis or upon being employed in any state 4990  
other than this state for more than fourteen days or for an 4991  
aggregate period of thirty or more days in that calendar year 4992  
regardless of whether the offender resides or has a temporary 4993  
domicile in this state, the other state, or a different state: 4994

4995  
(a) Regardless of when the child-victim oriented offense was 4996  
committed, an offender who is sentenced for the child-victim 4997  
oriented offense to a prison term, a term of imprisonment, or any 4998  
other type of confinement and, on or after the effective date of 4999  
this section, is released in any manner from the prison term, term 5000  
of imprisonment, or confinement; 5001



(b) Regardless of when the child-victim oriented offense was committed, an offender who is sentenced for a child-victim oriented offense on or after the effective date of this section, and to whom division (A)(1)(a) of this section does not apply;

(c) If the child-victim oriented offense was committed prior to the effective date of this section, if the offense was considered prior to that date to be a sexually oriented offense, and if neither division (A)(1)(a) nor division (A)(1)(b) of this section applies, an offender who, immediately prior to the effective date of this section, was required to register as a result of conviction of or plea of guilty to the commission of that offense under section 2950.04 of the Revised Code. For any offender who is described in this division, the duty imposed under this division shall be considered, for purposes of section 2950.07 of the Revised Code and for all other purposes, to be a continuation of the duty imposed upon the offender prior to the effective date of this section under section 2950.04 of the Revised Code.

(2) Each of the following types of delinquent children shall register personally with the sheriff of the county within five days of the delinquent child's coming into a county in which the delinquent child resides or temporarily is domiciled for more than five days:

(a) Regardless of when the child-victim oriented offense was committed, a child who on or after the effective date of this section is adjudicated a delinquent child for committing a child-victim oriented offense and who is classified a juvenile offender registrant based on that adjudication. If the delinquent child is committed for the child-victim oriented offense to the department of youth services or to a secure facility that is not operated by the department, this duty begins when the delinquent child is discharged or released in any manner from custody in a

department of youth services secure facility or from the secure 5034  
facility that is not operated by the department, if pursuant to 5035  
the discharge or release the delinquent child is not committed to 5036  
any other secure facility of the department or any other secure 5037  
facility. The delinquent child does not have a duty to register 5038  
under this division while the child is in a department of youth 5039  
services secure facility or in a secure facility that is not 5040  
operated by the department. 5041

(b) If the child-victim oriented offense was committed prior 5042  
to the effective date of this section, if the offense was 5043  
considered prior to that date to be a sexually oriented offense, 5044  
and if division (A)(2)(a) of this section does not apply, a 5045  
delinquent child who, immediately prior to the effective date of 5046  
this section, was classified a juvenile sex offender registrant 5047  
and required to register as a result of a delinquent child 5048  
adjudication for the commission of that offense under section 5049  
2950.04 of the Revised Code. For any delinquent child who is 5050  
described in this division, the duty imposed under this division 5051  
shall be considered, for purposes of section 2950.07 of the 5052  
Revised Code and for all other purposes, to be a continuation of 5053  
the duty imposed upon the delinquent child prior to the effective 5054  
date of this section under section 2950.04 of the Revised Code. If 5055  
the delinquent child is committed for the child-victim oriented 5056  
offense to the department of youth services or to a secure 5057  
facility that is not operated by the department, the provisions of 5058  
division (A)(2)(a) of this section regarding the beginning, and 5059  
tolling, of a duty imposed under that division also apply 5060  
regarding the beginning, and tolling, of the duty imposed under 5061  
this division. 5062

(3) If divisions (A)(1) and (2) of this section do not apply, 5063  
each following type of offender and each following type of 5064  
delinquent child shall register personally with the sheriff of the 5065

county within five days of the offender's or delinquent child's 5066  
coming into a county in which the offender or delinquent child 5067  
resides or temporarily is domiciled for more than five days, and 5068  
each following type of offender shall register personally with the 5069  
sheriff of the county immediately upon coming into a county in 5070  
which the offender attends a school or institution of higher 5071  
education on a full-time or part-time basis regardless of whether 5072  
the offender resides or has a temporary domicile in this state or 5073  
another state, shall register personally with the sheriff of the 5074  
county in which the offender is employed if the offender resides 5075  
or has a temporary domicile in this state and has been employed in 5076  
that county for more than fourteen days or for an aggregate period 5077  
of thirty or more days in that calendar year, and shall register 5078  
personally with the sheriff of the county in which the offender 5079  
then is employed if the offender does not reside or have a 5080  
temporary domicile in this state and has been employed at any 5081  
location or locations in this state for more than fourteen days or 5082  
for an aggregate period of thirty or more days in that calendar 5083  
year: 5084

(a) Regardless of when the child-victim oriented offense was 5085  
committed, a person who is convicted, pleads guilty, or 5086  
adjudicated a delinquent child in a court in another state, in a 5087  
federal court, military court, or Indian tribal court, or in a 5088  
court in any nation other than the United States for committing a 5089  
child-victim oriented offense, if, on or after the effective date 5090  
of this section, the offender or delinquent child moves to and 5091  
resides in this state or temporarily is domiciled in this state 5092  
for more than five days, the offender enters this state to attend 5093  
any school or institution of higher education on a full-time or 5094  
part-time basis, or the offender is employed in this state for 5095  
more than fourteen days or for an aggregate period of thirty or 5096  
more days in any calendar year, and if, at the time the offender 5097  
or delinquent child moves to and resides in this state or 5098

temporarily is domiciled in this state for more than five days, 5099  
the offender enters this state to attend the school or institution 5100  
of higher education, or the offender is employed in this state for 5101  
more than the specified period of time, the offender or delinquent 5102  
child has a duty to register as a child-victim offender or sex 5103  
offender under the law of that other jurisdiction as a result of 5104  
the conviction, guilty plea, or adjudication. 5105

(b) Regardless of when the child-victim oriented offense was 5106  
committed, a person who is convicted, pleads guilty, or 5107  
adjudicated a delinquent child in a court in another state, in a 5108  
federal court, military court, or Indian tribal court, or in a 5109  
court in any nation other than the United States for committing a 5110  
child-victim oriented offense, if, on or after the effective date 5111  
of this section, the offender or delinquent child is released from 5112  
imprisonment, confinement, or detention imposed for that offense, 5113  
and if, on or after the effective date of this section, the 5114  
offender or delinquent child moves to and resides in this state or 5115  
temporarily is domiciled in this state for more than five days, 5116  
the offender enters this state to attend any school or institution 5117  
of higher education on a full-time or part-time basis, or the 5118  
offender is employed in this state for more than fourteen days or 5119  
for an aggregate period of thirty or more days in any calendar 5120  
year. The duty to register as described in this division applies 5121  
to an offender regardless of whether the offender, at the time of 5122  
moving to and residing in this state or temporarily being 5123  
domiciled in this state for more than five days, at the time of 5124  
entering into this state to attend the school or institution of 5125  
higher education, or at the time of being employed in this state 5126  
for more than the specified period of time, has a duty to register 5127  
as a child-victim offender or sex offender under the law of the 5128  
jurisdiction in which the conviction or guilty plea occurred. The 5129  
duty to register as described in this division applies to a 5130  
delinquent child only if the delinquent child, at the time of 5131

moving to and residing in this state or temporarily being 5132  
domiciled in this state for more than five days, has a duty to 5133  
register as a child-victim offender or sex offender under the law 5134  
of the jurisdiction in which the delinquent child adjudication 5135  
occurred or if, had the delinquent child adjudication occurred in 5136  
this state, the adjudicating juvenile court judge would have been 5137  
required to issue an order classifying the delinquent child as a 5138  
juvenile offender registrant pursuant to section 2152.82 or 5139  
division (A) of section 2152.83 of the Revised Code. 5140

(4) If division (A)(1)(a) of this section applies and if, 5141  
subsequent to the offender's release, the offender is adjudicated 5142  
a child-victim predator under division (C) of section 2950.09 of 5143  
the Revised Code, the offender shall register within five days of 5144  
the adjudication with the sheriff of the county in which the 5145  
offender resides or temporarily is domiciled for more than five 5146  
days, shall register with the sheriff of any county in which the 5147  
offender subsequently resides or temporarily is domiciled for more 5148  
than five days within five days of coming into that county, shall 5149  
register within five days of the adjudication with the sheriff of 5150  
the county in which the offender attends any school or institution 5151  
of higher education on a full-time or part-time basis or in which 5152  
the offender is employed if the offender has been employed in that 5153  
county for more than fourteen days or for an aggregate period of 5154  
thirty or more days in that calendar year regardless of whether 5155  
the offender resides or has temporary domicile in this state or 5156  
another state, and shall register within five days of the 5157  
adjudication with the sheriff or other appropriate person of any 5158  
state other than this state in which the offender attends a school 5159  
or institution of higher education on a full-time or part-time 5160  
basis or in which the offender then is employed if the offender 5161  
has been employed in this state for more than fourteen days or for 5162  
an aggregate period of thirty or more days in any calendar year 5163  
regardless of whether the offender resides or has temporary 5164

domicile in this state, the other state, or a different state. 5165

(5) A person who is adjudicated a delinquent child for 5166  
committing a child-victim oriented offense is not required to 5167  
register under division (A)(2) of this section unless the 5168  
delinquent child committed the offense on or after the effective 5169  
date of this section, is classified a juvenile offender registrant 5170  
by a juvenile court judge pursuant to an order issued under 5171  
section 2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code 5172  
based on that adjudication, and has a duty to register pursuant to 5173  
division (A)(2) of this section. 5174

(B) An offender or delinquent child who is required by 5175  
division (A) of this section to register in this state personally 5176  
shall do so in the manner described in division (B) of section 5177  
2950.04 of the Revised Code, and the registration is complete as 5178  
described in that division. 5179

(C) The registration form to be used under divisions (A) and 5180  
(B) of this section shall include the photograph of the offender 5181  
or delinquent child who is registering and shall contain all of 5182  
the following: 5183

(1) Regarding an offender or delinquent child who is 5184  
registering under a duty imposed under division (A)(1), (2), (3), 5185  
or (4) of this section as a result of the offender or delinquent 5186  
child residing in this state or temporarily being domiciled in 5187  
this state for more than five days, all of the information 5188  
described in division (C)(1) of section 2950.04 of the Revised 5189  
Code; 5190

(2) Regarding an offender who is registering under a duty 5191  
imposed under division (A)(1), (3), or (4) of this section as a 5192  
result of the offender attending a school or institution of higher 5193  
education on a full-time or part-time basis or being employed in 5194  
this state or in a particular county in this state, whichever is 5195

applicable, for more than fourteen days or for an aggregate of 5196  
thirty or more days in any calendar year, all of the information 5197  
described in division (C)(2) of section 2950.04 of the Revised 5198  
Code; 5199

(3) Regarding an offender or delinquent child who is 5200  
registering under a duty imposed under division (A)(1), (2), (3), 5201  
or (4) of this section, if the offender has been adjudicated a 5202  
child-victim predator relative to the child-victim oriented 5203  
offense in question, if the delinquent child has been adjudicated 5204  
a child-victim predator relative to the child-victim oriented 5205  
offense in question and the court has not subsequently determined 5206  
pursuant to section 2152.84 or 2152.85 of the Revised Code that 5207  
the delinquent child no longer is a child-victim predator, if the 5208  
offender or delinquent child is automatically classified a 5209  
habitual child-victim offender under division (E) of section 5210  
2950.091 of the Revised Code, or if the judge determined pursuant 5211  
to division (C) or (E) of section 2950.091 or pursuant to section 5212  
2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code that the 5213  
offender or delinquent child is a habitual child-victim offender 5214  
and the determination has not been removed pursuant to section 5215  
2152.84 or 2152.85 of the Revised Code, the offender or delinquent 5216  
child shall include on the signed, written registration form all 5217  
of the information described in division (C)(3) of section 2950.04 5218  
of the Revised Code. 5219

(D) Division (D) of section 2950.04 of the Revised Code 5220  
applies when an offender or delinquent child registers with a 5221  
sheriff pursuant to this section. 5222

(E) No person who is required to register pursuant to 5223  
divisions (A) and (B) of this section, and no person who is 5224  
required to send a notice of intent to reside pursuant to division 5225  
(G) of this section, shall fail to register or send the notice as 5226  
required in accordance with those divisions or that division. 5227

(F) An offender or delinquent child who is required to 5228  
register pursuant to divisions (A) and (B) of this section shall 5229  
register pursuant to this section for the period of time specified 5230  
in section 2950.07 of the Revised Code. 5231

(G) If an offender or delinquent child who is required by 5232  
division (A) of this section to register is adjudicated a 5233  
child-victim predator or a habitual child-victim offender subject 5234  
to community notification under division (C)(2) or (E) of section 5235  
2950.09 of the Revised Code, the offender or delinquent child also 5236  
shall send the sheriff of the county in which the offender or 5237  
delinquent child intends to reside written notice of the 5238  
offender's or delinquent child's intent to reside in the county. 5239  
The offender or delinquent child shall send the notice of intent 5240  
to reside at least twenty days prior to the date the offender or 5241  
delinquent child begins to reside in the county. The notice of 5242  
intent to reside shall contain all of the following information: 5243

(1) The information specified in divisions (G)(1) and (2) of 5244  
section 2950.04 of the Revised Code; 5245

(2) The child-victim oriented offense of which the offender 5246  
was convicted, to which the offender pleaded guilty, or for which 5247  
the child was adjudicated a delinquent child; 5248

(3) A statement that the offender has been adjudicated a 5249  
child-victim predator, a statement that the delinquent child has 5250  
been adjudicated a child-victim predator and that, as of the date 5251  
of the notice, the court has not entered a determination that the 5252  
delinquent child no longer is a child-victim predator, or a 5253  
statement that the sentencing or reviewing judge has determined 5254  
that the offender or delinquent child is a habitual child-victim 5255  
offender and that, as of the date of the notice, the determination 5256  
has not been removed pursuant to section 2152.84 or 2152.85 of the 5257  
Revised Code. 5258



Sec. 2950.05. (A) If an offender or delinquent child is 5259  
required to register pursuant to section 2950.04 or 2950.041 of 5260  
the Revised Code, the offender or delinquent child, at least 5261  
twenty days prior to changing the offender's or delinquent child's 5262  
residence address, or the offender, at least twenty days prior to 5263  
changing the address of the offender's school or institution of 5264  
higher education and not later than five days after changing the 5265  
address of the offender's place of employment, during the period 5266  
during which the offender or delinquent child is required to 5267  
register, shall provide written notice of the residence, school, 5268  
institution of higher education, or place of employment address 5269  
change, as applicable, to the sheriff with whom the offender or 5270  
delinquent child most recently registered the address under 5271  
section 2950.04 or 2950.041 of the Revised Code or under division 5272  
(B) of this section. 5273

(B) If an offender ~~or delinquent child~~ is required to provide 5274  
notice of a residence, school, institution of higher education, or 5275  
place of employment address change under division (A) of this 5276  
section, or a delinquent child is required to provide notice of a 5277  
residence address change under that division, the offender or 5278  
delinquent child, at least twenty days prior to changing the 5279  
residence, school, or institution of higher education address and 5280  
not later than five days after changing the place of employment 5281  
address, as applicable, also shall register the new ~~residence~~ 5282  
address in the manner described in divisions (B) and (C) of 5283  
section 2950.04 or 2950.041 of the Revised Code, whichever is 5284  
applicable, with the sheriff of the county in which the offender's 5285  
or delinquent child's new ~~residence~~ address is located, subject to 5286  
division (C) of this section. 5287

(C) Divisions (A) and (B) of this section apply to a person 5288  
who is required to register pursuant to section 2950.04 or 5289

2950.041 of the Revised Code regardless of whether the new 5290  
residence, school, institution of higher education, or place of 5291  
employment address is in this state or in another state. If the 5292  
new ~~residence~~ address is in another state, the person shall 5293  
register with the appropriate law enforcement officials in that 5294  
state in the manner required under the law of that state and 5295  
within the earlier of the period of time required under the law of 5296  
that state or at least seven days prior to changing the ~~residence~~ 5297  
address. 5298

(D)(1) Upon receiving from an offender or delinquent child 5299  
pursuant to division (A) of this section notice of a change of the 5300  
offender's ~~or delinquent child's~~ residence, school, institution of 5301  
higher education, or place of employment address or the delinquent 5302  
child's residence address, a sheriff promptly shall forward the 5303  
new ~~residence~~ address to the bureau of criminal identification and 5304  
investigation in accordance with the forwarding procedures adopted 5305  
pursuant to section 2950.13 of the Revised Code if the new 5306  
~~residence~~ address is in another state or, if the ~~offender's or~~ 5307  
~~delinquent child's~~ new ~~residence~~ address is located in another 5308  
county in this state, to the sheriff of that county. The bureau 5309  
shall include all information forwarded to it under this division 5310  
in the state registry of sex offenders and child-victim offenders 5311  
established and maintained under section 2950.13 of the Revised 5312  
Code and shall forward notice of the offender's or delinquent 5313  
child's new residence, school, institution of higher education, or 5314  
place of employment address, as applicable, to the appropriate 5315  
officials in the other state. 5316

(2) When an offender ~~or delinquent child~~ registers a new 5317  
residence, school, institution of higher education, or place of 5318  
employment address or a delinquent child registers a new residence 5319  
address pursuant to division (B) of this section, the sheriff with 5320  
whom the offender or delinquent child registers and the bureau of 5321

criminal identification and investigation shall comply with 5322  
division (D) of section 2950.04 or 2950.041 of the Revised Code, 5323  
whichever is applicable. 5324

(E)(1) No person who is required to notify a sheriff of a 5325  
change of address pursuant to division (A) of this section shall 5326  
fail to notify the appropriate sheriff in accordance with that 5327  
division. 5328

(2) No person who is required to register a new residence, 5329  
school, institution of higher education, or place of employment 5330  
address with a sheriff or with an official of another state 5331  
pursuant to divisions (B) and (C) of this section shall fail to 5332  
register with the appropriate sheriff or official of the other 5333  
state in accordance with those divisions. 5334

(F) An offender or delinquent child who is required to comply 5335  
with divisions (A), (B), and (C) of this section shall do so for 5336  
the period of time specified in section 2950.07 of the Revised 5337  
Code. 5338

**Sec. 2950.06.** (A) An offender or delinquent child who is 5339  
required to register a residence address pursuant to section 5340  
2950.04 or 2950.041 of the Revised Code shall periodically verify 5341  
the offender's or delinquent child's current residence address, 5342  
and an offender who is required to register a school, institution 5343  
of higher education, or place of employment address pursuant to 5344  
either of those sections shall periodically verify the address of 5345  
the offender's current school, institution of higher education, or 5346  
place of employment, in accordance with this section. The 5347  
frequency of verification shall be determined in accordance with 5348  
division (B) of this section, and the manner of verification shall 5349  
be determined in accordance with division (C) of this section. 5350

(B) The frequency with which an offender or delinquent child 5351  
must verify the offender's or delinquent child's current 5352

residence, school, institution of higher education, or place of 5353  
employment address pursuant to division (A) of this section shall 5354  
be determined as follows: 5355

(1) Regardless of when the sexually oriented offense or 5356  
child-victim oriented offense for which the offender or delinquent 5357  
child is required to register was committed, ~~if the offender or~~ 5358  
~~delinquent child has been adjudicated as being a sexual predator~~ 5359  
~~relative to the sexually oriented offense and the court has not~~ 5360  
~~subsequently entered a determination pursuant to division (D) of~~ 5361  
~~section 2950.09, section 2152.84, or section 2152.85 of the~~ 5362  
Revised Code that the offender or delinquent child no longer is a 5363  
sexual predator, or if the offender is required to register as a 5364  
result of an aggravated sexually oriented offense committed on or 5365  
after the effective date of this amendment, the offender ~~or~~ 5366  
~~delinquent child~~ shall verify the offender's ~~or delinquent child's~~ 5367  
current residence address or current school, institution of higher 5368  
education, or place of employment address, and the delinquent 5369  
child shall verify the delinquent child's current residence 5370  
address, in accordance with division (C) of this section every 5371  
ninety days after the offender's or delinquent child's initial 5372  
registration date during the period the offender or delinquent 5373  
child is required to register if any of the following applies: 5374

(a) The offender or delinquent child is required to register 5375  
based on a sexually oriented offense, and either the offender has 5376  
been adjudicated a sexual predator relative to the sexually 5377  
oriented offense, the delinquent child has been adjudicated a 5378  
sexual predator relative to the sexually oriented offense and the 5379  
court has not subsequently entered a determination pursuant to 5380  
section 2152.84 or 2152.85 of the Revised Code that the delinquent 5381  
child no longer is a sexual predator, or the offender is required 5382  
to register as a result of an aggravated sexually oriented 5383  
offense. 5384

(b) The offender or delinquent child is required to register based on a child-victim oriented offense, and either the offender has been adjudicated a child-victim predator relative to the child-victim oriented offense or the delinquent child has been adjudicated a child-victim predator relative to the child-victim oriented offense and the court has not subsequently entered a determination pursuant to section 2152.84 or 2152.85 of the Revised Code that the delinquent child no longer is a child-victim predator.

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

If, prior to the effective date of this amendment, an offender or delinquent child registered with a sheriff under a duty imposed under section 2950.04 of the Revised Code as a result of a conviction of, plea of guilty to, or adjudication as a delinquent child for committing a sexually oriented offense and if, on or after the effective date of this amendment, that offense no longer is a sexually oriented offense but instead is a child-victim oriented offense, the duty to register that is imposed on the offender or delinquent child pursuant to section 2950.041 of the Revised Code is a continuation of the duty imposed upon the offender prior to the effective date of this amendment under section 2950.04 of the Revised Code and, for purposes of divisions (B)(1) and (2) of this section, the offender's initial registration date related to that offense is the date on which the

offender initially registered under section 2950.04 of the Revised Code. 5417  
5418

(C)(1) An offender or delinquent child who is required to 5419  
verify the offender's or delinquent child's current residence, 5420  
school, institution of higher education, or place of employment 5421  
address pursuant to division (A) of this section shall verify the 5422  
address with the sheriff with whom the offender or delinquent 5423  
child most recently registered the address by personally appearing 5424  
before the sheriff or a designee of the sheriff, no earlier than 5425  
ten days before the date on which the verification is required 5426  
pursuant to division (B) of this section and no later than the 5427  
date so required for verification, and completing and signing a 5428  
copy of the verification form prescribed by the bureau of criminal 5429  
identification and investigation. The sheriff or designee shall 5430  
sign the completed form and indicate on the form the date on which 5431  
it is so completed. The verification required under this division 5432  
is complete when the offender or delinquent child personally 5433  
appears before the sheriff or designee and completes and signs the 5434  
form as described in this division. 5435

(2) To facilitate the verification of an offender's or 5436  
delinquent child's current residence, school, institution of 5437  
higher education, or place of employment address, as applicable, 5438  
under division (C)(1) of this section, the sheriff with whom the 5439  
offender or delinquent child most recently registered the address 5440  
may mail a nonforwardable verification form prescribed by the 5441  
bureau of criminal identification and investigation to the 5442  
offender's or delinquent child's last reported address and to the 5443  
last reported address of the parents of the delinquent child, with 5444  
a notice that conspicuously states that the offender or delinquent 5445  
child must personally appear before the sheriff or a designee of 5446  
the sheriff to complete the form and the date by which the form 5447  
must be so completed. Regardless of whether a sheriff mails a form 5448

to an offender or delinquent child and that child's parents, each 5449  
offender or delinquent child who is required to verify the 5450  
offender's or delinquent child's current residence, school, 5451  
institution of higher education, or place of employment address, 5452  
as applicable, pursuant to division (A) of this section shall 5453  
personally appear before the sheriff or a designee of the sheriff 5454  
to verify the address in accordance with division (C)(1) of this 5455  
section. 5456

(D) The verification form to be used under division (C) of 5457  
this section shall contain all of the following: 5458

(1) Except as provided in division (D)(2) of this section, 5459  
the current residence address of the offender or delinquent child, 5460  
the name and address of the offender's or delinquent child's 5461  
employer if the offender or delinquent child is employed at the 5462  
time of verification or if the offender or delinquent child knows 5463  
at the time of verification that the offender or delinquent child 5464  
will be commencing employment with that employer subsequent to 5465  
verification, the name and address of the offender's school or 5466  
institution of higher education if the offender attends one at the 5467  
time of verification or if the offender knows at the time of 5468  
verification that the offender will be commencing attendance at 5469  
that school or institution subsequent to verification, and any 5470  
other information required by the bureau of criminal 5471  
identification and investigation. 5472

(2) Regarding an offender who is verifying a current school, 5473  
institution of higher education, or place of employment address, 5474  
the current address of the school, institution of higher 5475  
education, or place of employment of the offender and any other 5476  
information required by the bureau of criminal identification and 5477  
investigation. 5478

(E) Upon an offender's or delinquent child's personal 5479  
appearance and completion of a verification form under division 5480

(C) of this section, a sheriff promptly shall forward a copy of 5481  
the verification form to the bureau of criminal identification and 5482  
investigation in accordance with the forwarding procedures adopted 5483  
by the attorney general pursuant to section 2950.13 of the Revised 5484  
Code. If an offender verifies a school, institution of higher 5485  
education, or place of employment address, or provides a school or 5486  
institution of higher education address under division (D)(1) of 5487  
this section, the sheriff also shall provide notice to the law 5488  
enforcement agency with jurisdiction over the premises of the 5489  
school, institution of higher education, or place of employment of 5490  
the offender's name and that the offender has verified or provided 5491  
that address as a place at which the offender attends school or an 5492  
institution of higher education or at which the offender is 5493  
employed. The bureau shall include all information forwarded to it 5494  
under this division in the state registry of sex offenders and 5495  
child-victim offenders established and maintained under section 5496  
2950.13 of the Revised Code. 5497

(F) No person who is required to verify a current residence, 5498  
school, institution of higher education, or place of employment 5499  
address, as applicable, pursuant to divisions (A) to (C) of this 5500  
section shall fail to verify a current residence, school, 5501  
institution of higher education, or place of employment address, 5502  
as applicable, in accordance with those divisions by the date 5503  
required for the verification as set forth in division (B) of this 5504  
section, provided that no person shall be prosecuted or subjected 5505  
to a delinquent child proceeding for a violation of this division, 5506  
and that no parent, guardian, or custodian of a delinquent child 5507  
shall be prosecuted for a violation of section 2919.24 of the 5508  
Revised Code based on the delinquent child's violation of this 5509  
division, prior to the expiration of the period of time specified 5510  
in division (G) of this section. 5511

(G)(1) If an offender or delinquent child fails to verify a 5512



current residence, school, institution of higher education, or 5513  
place of employment address, as applicable, as required by 5514  
divisions (A) to (C) of this section by the date required for the 5515  
verification as set forth in division (B) of this section, the 5516  
sheriff with whom the offender or delinquent child is required to 5517  
verify the current ~~residence~~ address, on the day following that 5518  
date required for the verification, shall send a written warning 5519  
to the offender or to the delinquent child and that child's 5520  
parents, at the offender's or delinquent child's and that child's 5521  
parents' last known residence, school, institution of higher 5522  
education, or place of employment address, as applicable, 5523  
regarding the offender's or delinquent child's duty to verify the 5524  
offender's or delinquent child's current residence, school, 5525  
institution of higher education, or place of employment address, 5526  
as applicable. 5527

The written warning shall do all of the following: 5528

(a) Identify the sheriff who sends it and the date on which 5529  
it is sent; 5530

(b) State conspicuously that the offender or delinquent child 5531  
has failed to verify the offender's ~~or delinquent child's~~ current 5532  
residence, school, institution of higher education, or place of 5533  
employment address or the delinquent child's current residence 5534  
address by the date required for the verification; 5535

(c) Conspicuously state that the offender or delinquent child 5536  
has seven days from the date on which the warning is sent to 5537  
verify the current residence, school, institution of higher 5538  
education, or place of employment address, as applicable, with the 5539  
sheriff who sent the warning; 5540

(d) Conspicuously state that a failure to timely verify the 5541  
specified current ~~residence~~ address or addresses is a felony 5542  
offense; 5543

(e) Conspicuously state that, if the offender ~~or delinquent~~ 5544  
~~child~~ verifies the current residence, school, institution of 5545  
higher education, or place of employment address or the delinquent 5546  
child verifies the current residence address with that sheriff 5547  
within that ~~seven-day period~~ seven-day period, the offender or 5548  
delinquent child will not be prosecuted or subjected to a 5549  
delinquent child proceeding for a failure to timely verify a 5550  
current ~~residence~~ address and the delinquent child's parent, 5551  
guardian, or custodian will not be prosecuted based on a failure 5552  
of the delinquent child to timely verify an address; 5553

(f) Conspicuously state that, if the offender ~~or delinquent~~ 5554  
~~child~~ does not verify the current residence, school, institution 5555  
of higher education, or place of employment address or the 5556  
delinquent child verifies the current residence address with that 5557  
sheriff within that ~~seven-day period~~ seven-day period, the 5558  
offender or delinquent child will be arrested or taken into 5559  
custody, as appropriate, and prosecuted or subjected to a 5560  
delinquent child proceeding for a failure to timely verify a 5561  
current ~~residence~~ address and the delinquent child's parent, 5562  
guardian, or custodian may be prosecuted for a violation of 5563  
section 2919.24 of the Revised Code based on the delinquent 5564  
child's failure to timely verify a current residence address. 5565

(2) If an offender or delinquent child fails to verify a 5566  
current residence, school, institution of higher education, or 5567  
place of employment address, as applicable, as required by 5568  
divisions (A) to (C) of this section by the date required for the 5569  
verification as set forth in division (B) of this section, the 5570  
offender or delinquent child shall not be prosecuted or subjected 5571  
to a delinquent child proceeding for a violation of division (F) 5572  
of this section, and the delinquent child's parent, guardian, or 5573  
custodian shall not be prosecuted for a violation of section 5574  
2919.24 of the Revised Code based on the delinquent child's 5575

failure to timely verify a current residence address, as 5576  
applicable, unless the ~~seven-day period~~ seven-day period 5577  
subsequent to that date that the offender or delinquent child is 5578  
provided under division (G)(1) of this section to verify the 5579  
current ~~residence~~ address has expired and the offender or 5580  
delinquent child, prior to the expiration of that ~~seven-day period~~ 5581  
seven-day period, has not verified the current ~~residence~~ address. 5582  
Upon the expiration of the ~~seven-day period~~ seven-day period that 5583  
the offender or delinquent child is provided under division (G)(1) 5584  
of this section to verify the current ~~residence~~ address ~~has~~ 5585  
~~expired~~, if the offender or delinquent child has not verified the 5586  
current ~~residence~~ address, all of the following apply: 5587

(a) The sheriff with whom the offender or delinquent child is 5588  
required to verify the current residence, school, institution of 5589  
higher education, or place of employment address, as applicable, 5590  
promptly shall notify the bureau of criminal identification and 5591  
investigation of the failure. 5592

(b) The sheriff with whom the offender or delinquent child is 5593  
required to verify the current residence, school, institution of 5594  
higher education, or place of employment address, as applicable, 5595  
the sheriff of the county in which the offender or delinquent 5596  
child resides, the sheriff of the county in which is located the 5597  
offender's school, institution of higher education, or place of 5598  
employment address that was to be verified, or a deputy of the 5599  
appropriate sheriff, shall locate the offender or delinquent 5600  
child, promptly shall seek a warrant for the arrest or taking into 5601  
custody, as appropriate, of the offender or delinquent child for 5602  
the violation of division (F) of this section and shall arrest the 5603  
offender or take the child into custody, as appropriate. 5604

(c) The offender or delinquent child is subject to 5605  
prosecution or a delinquent child proceeding for the violation of 5606  
division (F) of this section, and the delinquent child's parent, 5607

guardian, or custodian may be subject to prosecution for a 5608  
violation of section 2919.24 of the Revised Code based on the 5609  
delinquent child's violation of that division. 5610

(H) ~~A person~~ An offender who is required to verify the 5611  
~~person's~~ offender's current residence, school, institution of 5612  
higher education, or place of employment address pursuant to 5613  
divisions (A) to (C) of this section and a delinquent child who is 5614  
required to verify the delinquent child's current residence 5615  
address pursuant to those divisions shall do so for the period of 5616  
time specified in section 2950.07 of the Revised Code. 5617

**Sec. 2950.07.** (A) The duty of an offender who is convicted of 5618  
or pleads guilty to, or has been convicted of or pleaded guilty 5619  
to, either a sexually oriented offense that is not a 5620  
registration-exempt sexually oriented offense or a child-victim 5621  
oriented offense and the duty of a delinquent child who is 5622  
adjudicated a delinquent child for committing either a sexually 5623  
oriented offense that is not a registration-exempt sexually 5624  
oriented offense or a child-victim oriented offense and is 5625  
classified a juvenile ~~sex~~ offender registrant or who is an 5626  
out-of-state juvenile ~~sex~~ offender registrant to comply with 5627  
sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised 5628  
Code commences on whichever of the following dates is applicable: 5629

(1) If the offender's duty to register is imposed pursuant to 5630  
division (A)(1)(a) of section 2950.04 or division (A)(1)(a) of 5631  
section 2950.041 of the Revised Code, the offender's duty to 5632  
comply with those sections commences regarding residence addresses 5633  
on the date of the offender's release from a prison term, a term 5634  
of imprisonment, or any other type of confinement or on July 1, 5635  
1997, for a duty under section 2950.04 or the effective date of 5636  
this amendment for a duty under section 2950.041 of the Revised 5637  
Code, whichever is later, and commences regarding addresses of 5638

schools, institutions of higher education, and places of 5639  
employment on the date of the offender's release from a prison 5640  
term, term of imprisonment, or any other type of confinement or on 5641  
the effective date of this amendment, whichever is later. 5642

(2) If the offender's duty to register is imposed pursuant to 5643  
division (A)(1)(b) of section 2950.04 or division (A)(1)(b) of 5644  
section 2950.041 of the Revised Code, the offender's duty to 5645  
comply with those sections commences regarding residence addresses 5646  
on the date of entry of the judgment of conviction of the sexually 5647  
oriented offense or child-victim oriented offense or on July 1, 5648  
1997, for a duty under section 2950.04 or the effective date of 5649  
this amendment for a duty under section 2950.041 of the Revised 5650  
Code, whichever is later, and commences regarding addresses of 5651  
schools, institutions of higher education, and places of 5652  
employment on the date of entry of the judgment of conviction of 5653  
the sexually oriented offense or child-victim oriented offense or 5654  
on the effective date of this amendment, whichever is later. 5655

(3) If the offender's duty to register is imposed pursuant to 5656  
division (A)(1)(c) of section 2950.04 of the Revised Code, the 5657  
offender's duty to comply with those sections commences regarding 5658  
residence addresses fourteen days after July 1, 1997, and 5659  
commences regarding addresses of schools, institutions of higher 5660  
education, and places of employment fourteen days after the 5661  
effective date of this amendment. 5662

(4) If the offender's or delinquent child's duty to register 5663  
is imposed pursuant to division (A)(3)(a) or (b) of section 5664  
2950.04 or division (A)(3)(a) or (b) of section 2950.041 of the 5665  
Revised Code, the offender's duty to comply with those sections 5666  
commences regarding residence addresses on ~~March 30, 1999, or on~~ 5667  
the date that the offender begins to reside or becomes temporarily 5668  
domiciled in this state or on March 30, 1999, for a duty under 5669  
section 2950.04 of the Revised Code or the effective date of this 5670

amendment for a duty under section 2950.041 of the Revised Code, 5671  
whichever is later, the offender's duty regarding addresses of 5672  
schools, institutions of higher education, and places of 5673  
employment commences on the effective date of this amendment or on 5674  
the date the offender begins attending any school or institution 5675  
of higher education in this state on a full-time or part-time 5676  
basis or becomes employed in this state, whichever is later, and 5677  
the delinquent child's duty commences on ~~January 1, 2002, or on~~ 5678  
the date the delinquent child begins to reside or becomes 5679  
temporarily domiciled in this state or on January 1, 2002, for a 5680  
duty under section 2950.04 of the Revised Code or the effective 5681  
date of this amendment for a duty under section 2950.041 of the 5682  
Revised Code, whichever is later. 5683

(5) If the delinquent child's duty to register is imposed 5684  
pursuant to division (A)(2) of section 2950.04 or division 5685  
(A)(2)(a) of section 2950.041 of the Revised Code, if the 5686  
delinquent child's classification as a juvenile ~~sex~~ offender 5687  
registrant is made at the time of the child's disposition for that 5688  
sexually oriented offense or child-victim oriented offense, 5689  
whichever is applicable, and if the delinquent child is committed 5690  
for the sexually oriented offense or child-victim oriented offense 5691  
to the department of youth services or to a secure facility that 5692  
is not operated by the department, the delinquent child's duty to 5693  
comply with those sections commences on the date of the delinquent 5694  
child's discharge or release from custody in the department of 5695  
youth services secure facility or from the secure facility not 5696  
operated by the department as described in that division. 5697

(6) If the delinquent child's duty to register is imposed 5698  
pursuant to division (A)(2) of section 2950.04 or division 5699  
(A)(2)(a) of section 2950.041 of the Revised Code and if either 5700  
the delinquent child's classification as a juvenile ~~sex~~ offender 5701  
registrant is made at the time of the child's disposition for that 5702

sexually oriented offense or child-victim oriented offense, 5703  
whichever is applicable, and the delinquent child is not committed 5704  
for the sexually oriented offense or child-victim oriented offense 5705  
to the department of youth services or to a secure facility that 5706  
is not operated by the department or the child's classification as 5707  
a juvenile ~~sex~~ offender registrant is made pursuant to sections 5708  
2152.83 of the Revised Code, the delinquent child's duty to comply 5709  
with those sections commences on the date of entry of the court's 5710  
order that classifies the delinquent child a juvenile ~~sex~~ offender 5711  
registrant. 5712

(7) If the offender's duty to register is imposed pursuant to 5713  
division (A)(1)(c) of section 2950.041 of the Revised Code, the 5714  
offender's duty to comply with those sections regarding residence 5715  
addresses is a continuation of the offender's former duty to 5716  
register regarding residence addresses imposed prior to the 5717  
effective date of this amendment under section 2950.04 of the 5718  
Revised Code and shall be considered for all purposes as having 5719  
commenced on the date that the offender's former duty under that 5720  
section commenced. The offender's duty to comply with those 5721  
sections commences regarding addresses of schools, institutions of 5722  
higher education, and places of employment on the effective date 5723  
of this amendment. 5724

(8) If the delinquent child's duty to register is imposed 5725  
pursuant to division (A)(2)(b) of section 2950.041 of the Revised 5726  
Code, the delinquent child's duty to comply with those sections is 5727  
a continuation of the delinquent child's former duty to register 5728  
imposed prior to the effective date of this amendment under 5729  
section 2950.04 of the Revised Code and shall be considered for 5730  
all purposes as having commenced on the date that the delinquent 5731  
child's former duty under that section commenced or commences. 5732

(B) The duty of an offender who is convicted of or pleads 5733  
guilty to, or has been convicted of or pleaded guilty to, either a 5734

sexually oriented offense that is not a registration-exempt 5735  
sexually oriented offense or a child-victim oriented offense and 5736  
the duty of a delinquent child who is adjudicated a delinquent 5737  
child for committing either a sexually oriented offense that is 5738  
not a registration-exempt sexually oriented offense or a 5739  
child-victim oriented offense and is classified a juvenile ~~sex~~ 5740  
offender registrant or who is an out-of-state juvenile ~~sex~~ 5741  
offender registrant to comply with sections 2950.04, 2950.041, 5742  
2950.05, and 2950.06 of the Revised Code continues, after the date 5743  
of commencement, for whichever of the following periods is 5744  
applicable: 5745

(1) Except as otherwise provided in this division, if the 5746  
offense is a sexually oriented offense that is not a 5747  
registration-exempt sexually oriented offense and the offender or 5748  
delinquent child has been adjudicated a sexual predator relative 5749  
to the sexually oriented offense ~~or~~, if the offense is a sexually 5750  
oriented offense and the offender has the duty to register as a 5751  
result of an aggravated sexually oriented offense ~~committed on or~~ 5752  
~~after the effective date of this amendment,~~ or if the offense is a 5753  
child-victim oriented offense and the offender or delinquent child 5754  
has been adjudicated a child-victim predator relative to the 5755  
child-victim oriented offense, the offender's or delinquent 5756  
child's duty to comply with those sections continues until the 5757  
offender's or delinquent child's death. Regarding ~~an offender or a~~ 5758  
delinquent child who has been adjudicated a sexual predator 5759  
relative to the sexually oriented offense or who has been 5760  
adjudicated a child-victim predator relative to the child-victim 5761  
oriented offense, if the judge who ~~sentenced the offender or~~ made 5762  
the disposition for the delinquent child or that judge's successor 5763  
in office subsequently enters a determination pursuant to ~~division~~ 5764  
~~(D) of section 2950.09 or pursuant to~~ section 2152.84 or 2152.85 5765  
of the Revised Code that the ~~offender or~~ delinquent child no 5766  
longer is a sexual predator or child-victim predator, the 5767



~~offender's or delinquent child's duty to comply with those~~ 5768  
~~sections continues for the period of time that otherwise would~~ 5769  
~~have been applicable to the offender or delinquent child under~~ 5770  
~~division (B)(2) or (3) of this section or, if the offender's duty~~ 5771  
~~to register results from a conviction of or plea of guilty to an~~ 5772  
~~aggravated sexually oriented offense, until the offender's death~~ 5773  
~~as specified under this division. In no case shall the lifetime~~ 5774  
~~duty to register~~ comply that is imposed under this division on an 5775  
offender who is adjudicated a sexual predator or is adjudicated a 5776  
child-victim predator or is imposed under this division for an 5777  
aggravated sexually oriented offense committed on or after the 5778  
effective date of this amendment, or the adjudication, 5779  
classification, or conviction that subjects the offender to this 5780  
division, be removed or terminated. 5781

(2) If the judge who sentenced the offender or made the 5782  
disposition for the delinquent child for committing the sexually 5783  
oriented offense that is not a registration-exempt sexually 5784  
oriented offense or the child-victim oriented offense, or the 5785  
successor in office of the juvenile court judge who made the 5786  
delinquent child disposition, determined pursuant to division (E) 5787  
of section 2950.09 or 2950.091 or pursuant to division (B) of 5788  
section 2152.83, section 2152.84, or section 2152.85 of the 5789  
Revised Code that the offender or delinquent child is a habitual 5790  
sex offender or a habitual child-victim offender, or if the 5791  
offender or delinquent child is automatically classified a 5792  
habitual child-victim offender pursuant to division (E) of section 5793  
2950.091 of the Revised Code, the offender's ~~or delinquent child's~~ 5794  
duty to comply with those sections continues either until the 5795  
offender's death or for twenty years, determined as provided in 5796  
this division, and the delinquent child's duty to comply with 5797  
those sections continues for twenty years. If a delinquent child 5798  
is so determined ~~pursuant to division (E) of section 2950.09 or~~ 5799  
~~pursuant to division (B) of section 2152.83, section 2152.84, or~~ 5800

~~section 2152.85 of the Revised Code or classified~~ to be a habitual 5801  
sex offender ~~or a habitual child-victim offender~~ and if the judge 5802  
who made the disposition for the delinquent child or that judge's 5803  
successor in office subsequently enters a determination pursuant 5804  
to section 2152.84 or 2152.85 of the Revised Code that the 5805  
delinquent child no longer is a habitual sex offender ~~or habitual~~ 5806  
~~child-victim offender~~ but remains a juvenile ~~sex~~ offender 5807  
registrant, the delinquent child's duty to comply with those 5808  
sections continues for the period of time that otherwise would 5809  
have been applicable to the delinquent child under division (B)(3) 5810  
of this section. Except as otherwise provided in this division, 5811  
the offender's duty to comply with those sections continues until 5812  
the offender's death. If a lifetime duty to comply is imposed 5813  
under this division on an offender, in no case shall that lifetime 5814  
duty, or the determination that subjects the offender to this 5815  
division, be removed or terminated. The offender's duty to comply 5816  
with those sections continues for twenty years if the offender is 5817  
a habitual sex offender and both of the following apply: 5818

(a) At least one of the sexually oriented offenses of which 5819  
the offender has been convicted or to which the offender has 5820  
pleaded guilty and that are included in the habitual sex offender 5821  
determination is a violation of division (A)(1) or (5) of section 5822  
2907.06 of the Revised Code involving a victim who is eighteen 5823  
years of age or older, a violation of division (A), (B), or (E) of 5824  
section 2907.08 of the Revised Code involving a victim who is 5825  
eighteen years of age or older, or a violation of section 2903.211 5826  
of the Revised Code that is a misdemeanor; 5827

(b) The total of all the sexually oriented offenses of which 5828  
the offender has been convicted or to which the offender has 5829  
pleaded guilty and that are included in the habitual sex offender 5830  
determination does not include at least two sexually oriented 5831  
offenses that are not described in division (B)(2)(a) of this 5832

section. 5833

(3) If neither division (B)(1) nor (B)(2) of this section 5834  
applies, the offender's or delinquent child's duty to comply with 5835  
those sections continues for ten years. If a delinquent child is 5836  
classified pursuant to section 2152.82 or 2152.83 of the Revised 5837  
Code a juvenile ~~sex~~ offender registrant and if the judge who made 5838  
the disposition for the delinquent child or that judge's successor 5839  
in office subsequently enters a determination pursuant to section 5840  
2152.84 or 2152.85 of the Revised Code that the delinquent child 5841  
no longer is to be classified a juvenile ~~sex~~ offender registrant, 5842  
the delinquent child's duty to comply with those sections 5843  
terminates upon the court's entry of the determination. 5844

(C)(1) If an offender has been convicted of or pleaded guilty 5845  
to a sexually oriented offense ~~or a delinquent child has been~~ 5846  
~~adjudicated a delinquent child for committing a sexually oriented~~ 5847  
~~offense and is classified a juvenile sex offender registrant or is~~ 5848  
~~an out-of-state juvenile sex offender registrant, that is not a~~ 5849  
registration-exempt sexually oriented offense and ~~if~~ the offender 5850  
subsequently is convicted of or pleads guilty to another sexually 5851  
oriented offense or a child-victim oriented offense, if an 5852  
offender has been convicted of or pleaded guilty to a child-victim 5853  
oriented offense and the offender subsequently is convicted of or 5854  
pleads guilty to another child-victim oriented offense or a 5855  
sexually oriented offense, if a delinquent child has been 5856  
adjudicated a delinquent child for committing a sexually oriented 5857  
offense that is not a registration-exempt sexually oriented 5858  
offense and is classified a juvenile offender registrant or is an 5859  
out-of-state juvenile offender registrant and the delinquent child 5860  
subsequently is adjudicated a delinquent child for committing 5861  
another sexually oriented offense or a child-victim oriented 5862  
offense and is classified a juvenile ~~sex~~ offender registrant 5863  
relative to that offense or subsequently is convicted of or pleads 5864

guilty to another sexually oriented offense or a child-victim 5865  
oriented offense, or if a delinquent child has been adjudicated a 5866  
delinquent child for committing a child-victim oriented offense 5867  
and is classified a juvenile offender registrant or is an 5868  
out-of-state juvenile offender registrant and the child 5869  
subsequently is adjudicated a delinquent child for committing 5870  
another child-victim oriented offense or a sexually oriented 5871  
offense and is classified a juvenile offender registrant relative 5872  
to that offense or subsequently is convicted of or pleads guilty 5873  
to another child-victim oriented offense or a sexually oriented 5874  
offense, the period of time for which the offender or delinquent 5875  
child must comply with the sections specified in division (A) of 5876  
this section shall be separately calculated pursuant to divisions 5877  
(A)(1) to ~~(6)~~(8) and (B)(1) to (3) of this section for each of the 5878  
sexually oriented offenses and child-victim oriented offenses, and 5879  
the separately calculated periods of time shall be complied with 5880  
independently. 5881

If a delinquent child has been adjudicated a delinquent child 5882  
for committing either a sexually oriented offense that is not a 5883  
registration-exempt sexually oriented offense or a child-victim 5884  
oriented offense, is classified a juvenile ~~sex~~ offender registrant 5885  
or is an out-of-state juvenile ~~sex~~ offender registrant relative to 5886  
the offense, and, after attaining eighteen years of age, 5887  
subsequently is convicted of or pleads guilty to another sexually 5888  
oriented offense or child-victim oriented offense, the subsequent 5889  
conviction or guilty plea does not limit, affect, or supersede the 5890  
duties imposed upon the delinquent child under this chapter 5891  
relative to the delinquent child's classification as a juvenile 5892  
~~sex~~ offender registrant or as an out-of-state juvenile ~~sex~~ 5893  
offender registrant, and the delinquent child shall comply with 5894  
both those duties and the duties imposed under this chapter 5895  
relative to the subsequent conviction or guilty plea. 5896

(2) If a delinquent child has been adjudicated a delinquent child for committing on or after January 1, 2002, either a sexually oriented offense that is not a registration-exempt sexually oriented offense or a child-victim oriented offense and is classified a juvenile ~~sex~~ offender registrant relative to the offense, if the order containing the classification also contains a determination by the juvenile judge that the ~~delinquent~~ child is a sexual predator or a habitual sex offender or that the child is a child-victim predator or a habitual child-victim offender, and if the juvenile judge or the judge's successor in office subsequently determines pursuant to section 2152.84 or 2152.85 of the Revised Code that the delinquent child no longer is a sexual predator or habitual sex offender or no longer is a child-victim predator or habitual child-victim offender, whichever is applicable, the judge's subsequent determination does not affect the date of commencement of the delinquent child's duty to comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code as determined under division (A) of this section.

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

(E) An offender or delinquent child who has been convicted ~~of~~ or pleaded guilty ~~to~~, or has been or is adjudicated a delinquent child ~~for committing a sexually oriented offense~~, in a court in another state ~~or~~, in a federal court, military court, or ~~an~~ Indian

tribal court, or in a court of any nation other than the United 5929  
States for committing either a sexually oriented offense that is 5930  
not a registration-exempt sexually oriented offense or a 5931  
child-victim oriented offense may apply to the sheriff of the 5932  
county in which the offender or delinquent child resides or 5933  
temporarily is domiciled, or in which the offender attends a 5934  
school or institution of higher education or is employed, for 5935  
credit against the duty to register for the time that the offender 5936  
or delinquent child has complied with the sex offender or 5937  
child-victim offender registration requirements of another 5938  
jurisdiction. The sheriff shall grant the offender or delinquent 5939  
child credit against the duty to register for time for which the 5940  
offender or delinquent child provides adequate proof that the 5941  
offender or delinquent child has complied with the sex offender or 5942  
child-victim offender registration requirements of another 5943  
jurisdiction. If the offender or delinquent child disagrees with 5944  
the determination of the sheriff, the offender or delinquent child 5945  
may appeal the determination to the court of common pleas of the 5946  
county in which the offender or delinquent child resides or is 5947  
temporarily domiciled, or in which the offender attends a school 5948  
or institution of higher education or is employed. 5949

**Sec. 2950.08.** The (A) Subject to division (B) of this 5950  
section, the statements, information, photographs, and 5951  
fingerprints required by sections 2950.04, 2950.041, 2950.05, and 5952  
2950.06 of the Revised Code and provided by a person who 5953  
registers, who provides notice of a change of residence, school, 5954  
institution of higher education, or place of employment address 5955  
and registers the new residence, school, institution of higher 5956  
education, or place of employment address, or who provides 5957  
verification of a current residence, school, institution of higher 5958  
education, or place of employment address pursuant to those 5959  
sections and that are in the possession of the bureau of criminal 5960

identification and investigation and the information in the 5961  
possession of the bureau that was received by the bureau pursuant 5962  
to section 2950.14 of the Revised Code shall not be open to 5963  
inspection by the public or by any person other than the following 5964  
persons: 5965

~~(A)(1)~~ A regularly employed peace officer or other law 5966  
enforcement officer; 5967

~~(B)(2)~~ An authorized employee of the bureau of criminal 5968  
identification and investigation for the purpose of providing 5969  
information to a board, administrator, or person pursuant to 5970  
division (F) or (G) of section 109.57 of the Revised Code; 5971

~~(3) The registrar of motor vehicles, or an employee of the 5972  
registrar of motor vehicles, for the purpose of verifying and 5973  
updating any of the information so provided, upon the request of 5974  
the bureau of criminal identification and investigation. 5975~~

~~(B) Division (A) of this section does not apply to any 5976  
information that is contained in the internet sex offender and 5977  
child-victim offender database established by the attorney general 5978  
under division (A)(11) of section 2950.13 of the Revised Code 5979  
regarding offenders and that is disseminated as described in that 5980  
division. 5981~~

**Sec. 2950.081.** (A) Any statements, information, photographs, 5982  
or fingerprints that are required to be provided, and that are 5983  
provided, by an offender or delinquent child pursuant to section 5984  
2950.04, 2950.041, 2950.05, or 2950.06 of the Revised Code 5985  
~~requires a person to provide, that are provided by a person who~~ 5986  
~~registers, who provides notice of a change of residence address~~ 5987  
~~and registers the new residence address, or who provides~~ 5988  
~~verification of a current residence address pursuant to any~~ 5989  
~~provision of those sections,~~ and that are in the possession of a 5990  
county sheriff are public records open to public inspection under 5991

section 149.43 of the Revised Code and shall be included in the 5992  
internet sex offender and child-victim offender database 5993  
established and maintained under section 2950.13 of the Revised 5994  
Code to the extent provided in that section. 5995

(B) Except when the child is classified a juvenile offender 5996  
registrant and the act that is the basis of ~~a child's~~ the 5997  
~~classification as a juvenile sex offender registrant~~ is a 5998  
violation of, or an attempt to commit a violation of, section 5999  
2903.01, 2903.02, or 2905.01 of the Revised Code that was 6000  
committed with a purpose to gratify the sexual needs or desires of 6001  
the child, a violation of section 2907.02 of the Revised Code, or 6002  
an attempt to commit a violation of that section, the sheriff 6003  
shall not cause to be publicly disseminated by means of the 6004  
internet any statements, information, photographs, or fingerprints 6005  
that are provided by a juvenile ~~sex~~ offender registrant who sends 6006  
a notice of intent to reside, registers, ~~who~~ provides notice of a 6007  
change of residence address and registers the new residence 6008  
address, or ~~who~~ provides verification of a current residence 6009  
address pursuant to this chapter and that are in the possession of 6010  
a county sheriff. 6011

**Sec. 2950.09.** (A) If a person is convicted of or pleads 6012  
guilty to committing, on or after January 1, 1997, a sexually 6013  
oriented offense that is not a registration-exempt sexually 6014  
oriented offense and that is a sexually violent offense and also 6015  
is convicted of or pleads guilty to a sexually violent predator 6016  
specification that was included in the indictment, count in the 6017  
indictment, or information charging the sexually violent offense, 6018  
the conviction of or plea of guilty to the specification 6019  
automatically classifies the offender as a sexual predator for 6020  
purposes of this chapter. If a person is convicted ~~of,~~ pleads 6021  
guilty ~~to,~~ or ~~is~~ adjudicated a delinquent child ~~for committing,~~ a 6022  
~~sexually oriented offense~~ in a court in another state, ~~or~~ in a 6023



federal court, military court, or ~~an~~ Indian tribal court, or in a 6024  
court of any nation other than the United States for committing a 6025  
sexually oriented offense that is not a registration-exempt 6026  
sexually oriented offense, and if, as a result of that conviction, 6027  
plea of guilty, or adjudication, the person is required, under the 6028  
law of the jurisdiction in which the person was convicted, pleaded 6029  
guilty, or was adjudicated, to register as a sex offender until 6030  
the person's death ~~and is required to verify the person's address~~ 6031  
~~on at least a quarterly basis each year~~, that conviction, plea of 6032  
guilty, or adjudication automatically classifies the person as a 6033  
sexual predator for the purposes of this chapter, but the person 6034  
may challenge that classification pursuant to division (F) of this 6035  
section. In all other cases, a person who is convicted of or 6036  
pleads guilty to, has been convicted of or pleaded guilty to, or 6037  
is adjudicated a delinquent child for committing, a sexually 6038  
oriented offense may be classified as a sexual predator for 6039  
purposes of this chapter only in accordance with division (B) or 6040  
(C) of this section or, regarding delinquent children, divisions 6041  
(B) and (C) of section 2152.83 of the Revised Code. 6042

(B)(1)(a) The judge who is to impose sentence on a person who 6043  
is convicted of or pleads guilty to a sexually oriented offense 6044  
that is not a registration-exempt sexually oriented offense shall 6045  
conduct a hearing to determine whether the offender is a sexual 6046  
predator if any of the following circumstances apply: 6047

(i) Regardless of when the sexually oriented offense was 6048  
committed, the offender is to be sentenced on or after January 1, 6049  
1997, for a sexually oriented offense that is not a 6050  
registration-exempt sexually oriented offense and that is not a 6051  
sexually violent offense. 6052

(ii) Regardless of when the sexually oriented offense was 6053  
committed, the offender is to be sentenced on or after January 1, 6054  
1997, for a sexually oriented offense that is not a 6055

registration-exempt sexually oriented offense and that is a 6056  
sexually violent offense, and a sexually violent predator 6057  
specification was not included in the indictment, count in the 6058  
indictment, or information charging the sexually violent offense. 6059

(iii) Regardless of when the sexually oriented offense was 6060  
committed, the offender is to be sentenced on or after May 7, 6061  
2002, for a sexually oriented offense that is not a 6062  
registration-exempt sexually oriented offense, and that offender 6063  
was acquitted of a sexually violent predator specification that 6064  
was included in the indictment, count in the indictment, or 6065  
information charging the sexually oriented offense. 6066

(b) The judge who is to impose or has imposed an order of 6067  
disposition upon a child who is adjudicated a delinquent child for 6068  
committing on or after January 1, 2002, a sexually oriented 6069  
offense that is not a registration-exempt sexually oriented 6070  
offense shall conduct a hearing as provided in this division to 6071  
determine whether the child is to be classified as a sexual 6072  
predator if either of the following applies: 6073

(i) The judge is required by section 2152.82 or division (A) 6074  
of section 2152.83 of the Revised Code to classify the child a 6075  
juvenile ~~sex~~ offender registrant. 6076

(ii) Division (B) of section 2152.83 of the Revised Code 6077  
applies regarding the child, the judge conducts a hearing under 6078  
that division for the purposes described in that division, and the 6079  
judge determines at that hearing that the child will be classified 6080  
a juvenile ~~sex~~ offender registrant. 6081

(2) Regarding an offender, the judge shall conduct the 6082  
hearing required by division (B)(1)(a) of this section prior to 6083  
sentencing and, if the sexually oriented offense for which 6084  
sentence is to be imposed is a felony and if the hearing is being 6085  
conducted under division (B)(1)(a) of this section, the judge may 6086

conduct it as part of the sentencing hearing required by section 6087  
2929.19 of the Revised Code. Regarding a delinquent child, the 6088  
judge may conduct the hearing required by division (B)(1)(b) of 6089  
this section at the same time as, or separate from, the 6090  
dispositional hearing, as specified in the applicable provision of 6091  
section 2152.82 or 2152.83 of the Revised Code. The court shall 6092  
give the offender or delinquent child and the prosecutor who 6093  
prosecuted the offender or handled the case against the delinquent 6094  
child for the sexually oriented offense notice of the date, time, 6095  
and location of the hearing. At the hearing, the offender or 6096  
delinquent child and the prosecutor shall have an opportunity to 6097  
testify, present evidence, call and examine witnesses and expert 6098  
witnesses, and cross-examine witnesses and expert witnesses 6099  
regarding the determination as to whether the offender or 6100  
delinquent child is a sexual predator. The offender or delinquent 6101  
child shall have the right to be represented by counsel and, if 6102  
indigent, the right to have counsel appointed to represent the 6103  
offender or delinquent child. 6104

(3) In making a determination under divisions (B)(1) and (4) 6105  
of this section as to whether an offender or delinquent child is a 6106  
sexual predator, the judge shall consider all relevant factors, 6107  
including, but not limited to, all of the following: 6108

(a) The offender's or delinquent child's age; 6109

(b) The offender's or delinquent child's prior criminal or 6110  
delinquency record regarding all offenses, including, but not 6111  
limited to, all sexual offenses; 6112

(c) The age of the victim of the sexually oriented offense 6113  
for which sentence is to be imposed or the order of disposition is 6114  
to be made; 6115

(d) Whether the sexually oriented offense for which sentence 6116  
is to be imposed or the order of disposition is to be made 6117

involved multiple victims; 6118

(e) Whether the offender or delinquent child used drugs or 6119  
alcohol to impair the victim of the sexually oriented offense or 6120  
to prevent the victim from resisting; 6121

(f) If the offender or delinquent child previously has been 6122  
convicted of or pleaded guilty to, or been adjudicated a 6123  
delinquent child for committing an act that if committed by an 6124  
adult would be, a criminal offense, whether the offender or 6125  
delinquent child completed any sentence or dispositional order 6126  
imposed for the prior offense or act and, if the prior offense or 6127  
act was a sex offense or a sexually oriented offense, whether the 6128  
offender or delinquent child participated in available programs 6129  
for sexual offenders; 6130

(g) Any mental illness or mental disability of the offender 6131  
or delinquent child; 6132

(h) The nature of the offender's or delinquent child's sexual 6133  
conduct, sexual contact, or interaction in a sexual context with 6134  
the victim of the sexually oriented offense and whether the sexual 6135  
conduct, sexual contact, or interaction in a sexual context was 6136  
part of a demonstrated pattern of abuse; 6137

(i) Whether the offender or delinquent child, during the 6138  
commission of the sexually oriented offense for which sentence is 6139  
to be imposed or the order of disposition is to be made, displayed 6140  
cruelty or made one or more threats of cruelty; 6141

(j) Any additional behavioral characteristics that contribute 6142  
to the offender's or delinquent child's conduct. 6143

(4) After reviewing all testimony and evidence presented at 6144  
the hearing conducted under division (B)(1) of this section and 6145  
the factors specified in division (B)(3) of this section, the 6146  
court shall determine by clear and convincing evidence whether the 6147  
subject offender or delinquent child is a sexual predator. If the 6148

court determines that the subject offender or delinquent child is 6149  
not a sexual predator, the court shall specify in the offender's 6150  
sentence and the judgment of conviction that contains the sentence 6151  
or in the delinquent child's dispositional order, as appropriate, 6152  
that the court has determined that the offender or delinquent 6153  
child is not a sexual predator and the reason or reasons why the 6154  
court determined that the subject offender or delinquent child is 6155  
not a sexual predator. If the court determines by clear and 6156  
convincing evidence that the subject offender or delinquent child 6157  
is a sexual predator, the court shall specify in the offender's 6158  
sentence and the judgment of conviction that contains the sentence 6159  
or in the delinquent child's dispositional order, as appropriate, 6160  
that the court has determined that the offender or delinquent 6161  
child is a sexual predator and shall specify that the 6162  
determination was pursuant to division (B) of this section. In any 6163  
case in which the sexually oriented offense in question is an 6164  
aggravated sexually oriented offense ~~committed on or after the~~ 6165  
~~effective date of this amendment~~, the court shall specify in the 6166  
offender's sentence and the judgment of conviction that contains 6167  
the sentence that the offender's offense is an aggravated sexually 6168  
oriented offense. The offender or delinquent child and the 6169  
prosecutor who prosecuted the offender or handled the case against 6170  
the delinquent child for the sexually oriented offense in question 6171  
may appeal as a matter of right the court's determination under 6172  
this division as to whether the offender or delinquent child is, 6173  
or is not, a sexual predator. 6174

(5) A hearing shall not be conducted under division (B) of 6175  
this section regarding an offender if the sexually oriented 6176  
offense in question is a sexually violent offense, if the 6177  
indictment, count in the indictment, or information charging the 6178  
offense also included a sexually violent predator specification, 6179  
and if the offender is convicted of or pleads guilty to that 6180  
sexually violent predator specification. 6181

(C)(1) If a person was convicted of or pleaded guilty to a sexually oriented offense that is not a registration-exempt sexually oriented offense prior to January 1, 1997, if the person was not sentenced for the offense on or after January 1, 1997, and if, on or after January 1, 1997, the offender is serving a term of imprisonment in a state correctional institution, the department of rehabilitation and correction shall do whichever of the following is applicable:

(a) If the sexually oriented offense was an offense described in division (D)(1)(c) of section 2950.01 of the Revised Code or was a violent sex offense, the department shall notify the court that sentenced the offender of this fact, and the court shall conduct a hearing to determine whether the offender is a sexual predator.

(b) If division (C)(1)(a) of this section does not apply, the department shall determine whether to recommend that the offender be adjudicated ~~as being~~ a sexual predator. In making a determination under this division as to whether to recommend that the offender be adjudicated ~~as being~~ a sexual predator, the department shall consider all relevant factors, including, but not limited to, all of the factors specified in ~~division~~ divisions (B)(2) and (3) 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~~. If the department determines that it will not recommend that the offender be adjudicated a sexual predator, it immediately shall send its determination to the court that sentenced the offender. In all cases, the department 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 the department of rehabilitation and correction sends to a court a notice under division (C)(1)(a) of this section, the court shall conduct a hearing to determine whether the subject offender is a sexual predator. If, pursuant to division (C)(1)(b) 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~~ shall conduct a hearing to determine whether the offender is a sexual predator. ~~The~~ In any case, 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~~ as to whether the offender is, or is not, 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~~

(b) If, pursuant to division (C)(1)(b) of this section, the department sends to the court a determination that it is not recommending that an offender be adjudicated a sexual predator, the court shall not make any determination as to whether the offender is, or is not, a sexual predator but 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~~ department made its determination or previously has been convicted of or pleaded guilty to a child-victim oriented offense.

The court may ~~make the determination as to~~ conduct a hearing 6246  
to determine whether the offender previously has been convicted of 6247  
or pleaded guilty to a sexually oriented offense or a child-victim 6248  
oriented offense but may make the determination without a hearing, 6249  
~~but.~~ However, if the court determines that the offender previously 6250  
has been convicted of or pleaded guilty to such an offense, it 6251  
shall not impose a requirement that the offender be subject to the 6252  
community notification provisions ~~regarding the offender's place~~ 6253  
~~of residence that are~~ contained in sections 2950.10 and 2950.11 of 6254  
the Revised Code without a hearing. ~~The court may conduct a~~ 6255  
~~hearing to determine both whether the offender previously has been~~ 6256  
~~convicted of or pleaded guilty to a sexually oriented offense and~~ 6257  
~~whether to impose a requirement that the offender be subject to~~ 6258  
~~the community notification provisions as described in this~~ 6259  
~~division, or may conduct a hearing solely to make the latter~~ 6260  
~~determination.~~ In determining whether to impose the community 6261  
notification requirement, the court, in the circumstances 6262  
described in division (E)(2) of this section, shall apply the 6263  
presumption specified in that division. The court shall include in 6264  
the offender's institutional record any determination made under 6265  
this division as to whether the offender previously has been 6266  
convicted of or pleaded guilty to a sexually oriented offense or 6267  
child-victim oriented offense, and, as such, whether the offender 6268  
is a habitual sex offender. 6269

~~(b) If the court schedules~~ (c) Upon scheduling a hearing 6270  
under division (C)(2)(a) or (b) of this section, the court shall 6271  
give the offender and the prosecutor who prosecuted the offender 6272  
for the sexually oriented offense, or that prosecutor's successor 6273  
in office, notice of the date, time, and place of the hearing. If 6274  
the hearing is scheduled under division (C)(2)(a) of this section 6275  
to determine whether the offender is a sexual predator, ~~it~~ the 6276  
prosecutor who is given the notice may contact the department of 6277



rehabilitation and correction and request that the department 6278  
provide to the prosecutor all information the department possesses 6279  
regarding the offender that is relevant and necessary for use in 6280  
making the determination as to whether the offender is a sexual 6281  
predator and that is not privileged or confidential under law. If 6282  
the prosecutor makes a request for that information, the 6283  
department promptly shall provide to the prosecutor all 6284  
information the department possesses regarding the offender that 6285  
is not privileged or confidential under law and that is relevant 6286  
and necessary for making that determination. A hearing scheduled 6287  
under division (C)(2)(a) of this section to determine whether the 6288  
offender is a sexual predator shall be conducted in the manner 6289  
described in division (B)(1) of this section regarding hearings 6290  
conducted under that division and, in making a determination under 6291  
this division as to whether the offender is a sexual predator, the 6292  
court shall consider all relevant factors, including, but not 6293  
limited to, all of the factors specified in ~~division~~ divisions 6294  
(B)(2) and (3) of this section. After reviewing all testimony and 6295  
evidence presented at the sexual predator hearing and the factors 6296  
specified in ~~division~~ divisions (B)(2) and (3) of this section, 6297  
the court shall determine by clear and convincing evidence whether 6298  
the offender is a sexual predator. If the court determines at the 6299  
sexual predator hearing that the offender is not a sexual 6300  
predator, it also shall determine whether the offender previously 6301  
has been convicted of or pleaded guilty to a sexually oriented 6302  
offense other than the offense in relation to which the hearing is 6303  
being conducted. 6304

Upon making its determinations at the sexual predator 6305  
hearing, the court shall proceed as follows: 6306

(i) If the ~~hearing is to determine whether the offender is a~~ 6307  
~~sexual predator, and if the~~ court determines that the offender is 6308  
not a sexual predator and that the offender previously has not 6309

been convicted of or pleaded guilty to a sexually oriented offense 6310  
other than the offense in relation to which the hearing is being 6311  
conducted and previously has not been convicted of or pleaded 6312  
guilty to a child-victim oriented offense, it shall include ~~its~~ 6313  
~~determinations~~ in the offender's institutional record its 6314  
determinations and the reason or reasons why it determined that 6315  
the offender is not a sexual predator. 6316

(ii) If the ~~hearing is to determine whether the offender is a~~ 6317  
~~sexual predator~~, and if the court determines that the offender is 6318  
not a sexual predator but that the offender previously has been 6319  
convicted of or pleaded guilty to a sexually oriented offense 6320  
other than the offense in relation to which the hearing is being 6321  
conducted or previously has been convicted of or pleaded guilty to 6322  
a child-victim oriented offense, it shall include ~~its~~ 6323  
~~determination that the offender is not a sexual predator but is a~~ 6324  
~~habitual sex offender~~ in the offender's institutional record its 6325  
determination that the offender is not a sexual predator but is a 6326  
habitual sex offender and the reason or reasons why it determined 6327  
that the offender is not a sexual predator, shall attach the 6328  
determinations and the reason or reasons to the offender's 6329  
sentence, shall specify that the determinations were pursuant to 6330  
division (C) of this section, shall provide a copy of the 6331  
determinations and the reason or reasons to the offender, to the 6332  
prosecuting attorney, and to the department of rehabilitation and 6333  
correction, and may impose a requirement that the offender be 6334  
subject to the community notification provisions ~~regarding the~~ 6335  
~~offender's place of residence that are contained in sections~~ 6336  
2950.10 and 2950.11 of the Revised Code. In determining whether to 6337  
impose the community notification requirements, the court, in the 6338  
circumstances described in division (E)(2) of this section, shall 6339  
apply the presumption specified in that division. The offender 6340  
shall not be subject to those community notification provisions 6341  
relative to the sexually oriented offense in question if the court 6342

does not so impose the requirement described in this division. If 6343  
the court imposes ~~those community notification provisions that~~ 6344  
requirement, the offender may appeal the judge's determination 6345  
that the offender is a habitual sex offender. 6346

~~(iii) If the hearing is to determine whether the offender 6347  
previously has been convicted of or pleaded guilty to a sexually 6348  
oriented offense other than the offense in relation to which the 6349  
hearing is being conducted and whether to impose a requirement 6350  
that the offender be subject to the specified community 6351  
notification provisions, and if the court determines that the 6352  
offender previously has been convicted of or pleaded guilty to 6353  
such an offense, the court shall proceed as described in division 6354  
(C)(2)(b)(ii) of this section and may impose a community 6355  
notification requirement as described in that division. The 6356  
offender shall not be subject to the specified community 6357  
notification provisions relative to the sexually oriented offense 6358  
in question if the court does not so impose the requirement 6359  
described in that division. If the court imposes those community 6360  
notification provisions, the offender may appeal the judge's 6361  
determination that the offender is a habitual sex offender. 6362~~

~~(iv) If the court determined without a hearing that the 6363  
offender previously has been convicted of or pleaded guilty to a 6364  
sexually oriented offense other than the offense in relation to 6365  
which the court determined that the offender is not a sexual 6366  
predator, and, as such, is a habitual sex offender, and the 6367  
hearing is solely to determine whether to impose a requirement 6368  
that the offender be subject to the specified community 6369  
notification provisions, after the hearing, the court may impose a 6370  
community notification requirement as described in division 6371  
(C)(2)(b)(ii) of this section. The offender shall not be subject 6372  
to the specified community notification provisions relative to the 6373  
sexually oriented offense in question if the court does not so 6374~~

~~impose the requirement described in that division. If the court 6375  
imposes those community notification provisions, the offender may 6376  
appeal the judge's determination that the offender is a habitual 6377  
sex offender. 6378~~

~~(v) If the hearing is to determine whether the offender is a 6379  
sexual predator, and if the court determines by clear and 6380  
convincing evidence that the offender is a sexual predator, it 6381  
shall enter its determination in the offender's institutional 6382  
record, shall attach the determination to the offender's sentence, 6383  
shall specify that the determination was pursuant to division (C) 6384  
of this section, and shall provide a copy of the determination to 6385  
the offender, to the prosecuting attorney, and to the department 6386  
of rehabilitation and correction. The offender and the prosecutor 6387  
may appeal as a matter of right the judge's determination under 6388  
~~this division~~ divisions (C)(2)(a) and (c) of this section as to 6389  
whether the offender is, or is not, a sexual predator. 6390~~

If the hearing is scheduled under division (C)(2)(b) of this 6391  
section to determine whether the offender previously has been 6392  
convicted of or pleaded guilty to a sexually oriented offense or a 6393  
child-victim oriented offense or whether to subject the offender 6394  
to the community notification provisions contained in sections 6395  
2950.10 and 2950.11 of the Revised Code, upon making the 6396  
determination, the court shall attach the determination or 6397  
determinations to the offender's sentence, shall provide a copy to 6398  
the offender, to the prosecuting attorney, and to the department 6399  
of rehabilitation and correction and may impose a requirement that 6400  
the offender be subject to the community notification provisions. 6401  
In determining whether to impose the community notification 6402  
requirements, the court, in the circumstances described in 6403  
division (E)(2) of this section, shall apply the presumption 6404  
specified in that division. The offender shall not be subject to 6405  
the community notification provisions relative to the sexually 6406

oriented offense in question if the court does not so impose the 6407  
requirement described in this division. If the court imposes that 6408  
requirement, the offender may appeal the judge's determination 6409  
that the offender is a habitual sex offender. 6410

(3) The changes made in divisions (C)(1) and (2) of this 6411  
section that take effect on the effective date of this amendment 6412  
do not require a court to conduct a new hearing under those 6413  
divisions for any offender regarding a sexually oriented offense 6414  
if, prior to the effective date of this amendment, the court 6415  
previously conducted a hearing under those divisions regarding 6416  
that offense to determine whether the offender was a sexual 6417  
predator. The changes made in divisions (C)(1) and (2) of this 6418  
section that take effect on the effective date of this amendment 6419  
do not require a court to conduct a hearing under those divisions 6420  
for any offender regarding a sexually oriented offense if, prior 6421  
to the effective date of this amendment and pursuant to those 6422  
divisions, the department of rehabilitation and correction 6423  
recommended that the offender be adjudicated a sexual predator 6424  
regarding that offense, and the court denied the recommendation 6425  
and determined that the offender was not a sexual predator without 6426  
a hearing, provided that this provision does not apply if the 6427  
sexually oriented offense in question was an offense described in 6428  
division (D)(1)(c) of section 2950.01 of the Revised Code. 6429

(D)(1) Division (D)(1) of this section ~~applies~~ does not apply 6430  
to ~~persons~~ any person who have ~~has~~ been convicted of or pleaded 6431  
guilty to a sexually oriented offense ~~and also~~. Division (D) of 6432  
this section applies only to delinquent children as provided in 6433  
Chapter 2152. of the Revised Code. A person who has been 6434  
adjudicated a delinquent child for committing a sexually oriented 6435  
offense that is not a registration-exempt sexually oriented 6436  
offense and who has been classified by a juvenile court judge a 6437  
juvenile ~~sex~~ offender registrant or, if applicable, additionally 6438

has been determined by a juvenile court judge to be a sexual 6439  
predator or habitual sex offender, may petition the adjudicating 6440  
court for a reclassification or declassification pursuant to 6441  
section 2152.85 of the Revised Code. 6442

~~Upon the expiration of the applicable period of time 6443  
specified in division (D)(1)(a) or (b) of this section, an 6444  
offender who has been convicted of or pleaded guilty to a sexually 6445  
oriented offense and who has been adjudicated as being a sexual 6446  
predator relative to the sexually oriented offense in the manner 6447  
described in division (B) or (C) of this section may petition the 6448  
judge who made the determination that the offender was a sexual 6449  
predator, or that judge's successor in office, to enter a 6450  
determination that the offender no longer is a sexual predator. 6451  
Upon the filing of the petition, the judge may review the prior 6452  
sexual predator determination that comprises the sexual predator 6453  
adjudication, and, upon consideration of A judge who is reviewing 6454  
a sexual predator determination for a delinquent child under 6455  
section 2152.84 or 2152.85 of the Revised Code shall comply with 6456  
this section. At the hearing, the judge shall consider all 6457  
relevant evidence and information, including, but not limited to, 6458  
the factors set forth in division (B)(3) of this section, either 6459  
shall enter a determination that the offender no longer is a 6460  
sexual predator or shall enter an order denying the petition. The 6461  
judge shall not enter a determination under this division that the 6462  
offender delinquent child no longer is a sexual predator unless 6463  
the judge determines by clear and convincing evidence that the 6464  
offender delinquent child is unlikely to commit a sexually 6465  
oriented offense in the future. If the judge enters a 6466  
determination under this division that the offender delinquent 6467  
child no longer is a sexual predator, the judge shall notify the 6468  
bureau of criminal identification and investigation and the parole 6469  
board of the determination and shall include in the notice a 6470  
statement of the reason or reasons why it determined that the 6471~~

~~delinquent child no longer is a sexual predator.~~ Upon receipt of 6472  
the notification, the bureau promptly shall notify the sheriff 6473  
with whom the ~~offender~~ delinquent child most recently registered 6474  
under section 2950.04 or 2950.05 of the Revised Code of the 6475  
determination that the ~~offender~~ delinquent child no longer is a 6476  
sexual predator. ~~If the judge enters a determination under this~~ 6477  
~~division that the offender no longer is a sexual predator and if~~ 6478  
~~the offender has a duty to register under section 2950.04 of the~~ 6479  
~~Revised Code resulting from the offender's conviction of or plea~~ 6480  
~~of guilty to committing on or after the effective date of this~~ 6481  
~~amendment an aggravated sexually oriented offense, the entry of~~ 6482  
~~the determination under this division does not affect any duties~~ 6483  
~~imposed upon the offender under this chapter as a result of that~~ 6484  
~~conviction of or plea of guilty to the aggravated sexually~~ 6485  
~~oriented offense. If the judge enters an order denying the~~ 6486  
~~petition, the prior adjudication of the offender as a sexual~~ 6487  
~~predator shall remain in effect. An offender determined to be a~~ 6488  
~~sexual predator in the manner described in division (B) or (C) of~~ 6489  
~~this section may file a petition under this division after the~~ 6490  
~~expiration of the following periods of time:~~ 6491

~~(a) Regardless of when the sexually oriented offense was~~ 6492  
~~committed, if, on or after January 1, 1997, the offender is~~ 6493  
~~imprisoned or sentenced to a prison term or other confinement for~~ 6494  
~~the sexually oriented offense in relation to which the~~ 6495  
~~determination was made, the offender initially may file the~~ 6496  
~~petition not earlier than one year prior to the offender's release~~ 6497  
~~from the imprisonment, prison term, or other confinement by~~ 6498  
~~discharge, parole, judicial release, or any other final release.~~ 6499  
~~If the offender is sentenced on or after January 1, 1997, for the~~ 6500  
~~sexually oriented offense in relation to which the determination~~ 6501  
~~is made and is not imprisoned or sentenced to a prison term or~~ 6502  
~~other confinement for the sexually oriented offense, the offender~~ 6503  
~~initially may file the petition upon the expiration of one year~~ 6504

~~after the entry of the offender's judgment of conviction. 6505~~

~~(b) After the offender's initial filing of a petition under 6506  
division (D)(1)(a) of this section, thereafter, an offender may 6507  
file a petition under this division upon the expiration of five 6508  
years after the court has entered an order denying the petition 6509  
under division (D)(1)(a) of this section or the most recent 6510  
petition the offender has filed under this division. 6511~~

~~(2) Except as otherwise provided in this division, division 6512  
(D)(1) of this section does not apply to a person who is 6513  
classified as a sexual predator pursuant to division (A) of this 6514  
section. If a person who is so classified was sentenced to a 6515  
prison term pursuant to division (A)(3) of section 2971.03 of the 6516  
Revised Code and if the sentencing court terminates the offender's 6517  
prison term as provided in division (D) of section 2971.05 of the 6518  
Revised Code, the court's termination of the prison term 6519  
automatically shall constitute a determination by the court that 6520  
the offender no longer is a sexual predator. However, if there is 6521  
a determination under this division that the offender no longer is 6522  
a sexual predator and if the offender has a duty to register under 6523  
section 2950.04 of the Revised Code resulting from the offender's 6524  
conviction of or plea of guilty to committing on or after the 6525  
effective date of this amendment an aggravated sexually oriented 6526  
offense, the determination under this division does not affect any 6527  
duties imposed upon the offender under this chapter as a result of 6528  
that conviction of or plea of guilty to the aggravated sexually 6529  
oriented offense. If the court so terminates the offender's prison 6530  
term, the court shall notify the bureau of criminal identification 6531  
and investigation and the parole board of the determination that 6532  
the offender no longer is a sexual predator. Upon receipt of the 6533  
notification, the bureau promptly shall notify the sheriff with 6534  
whom the offender most recently registered under section 2950.04 6535  
or 2950.05 of the Revised Code that the offender no longer is a 6536~~



~~sexual predator. If an offender who has been convicted of or 6537  
pleaded guilty to a sexually oriented offense is classified as a 6538  
sexual predator pursuant to division (A) of this section ~~is~~ 6539  
~~released from prison pursuant to a pardon or commutation or has~~ 6540  
been adjudicated a sexual predator relative to the offense as 6541  
described in division (B) or (C) of this section, subject to 6542  
division (F) of this section, the classification or adjudication 6543  
of the offender as a sexual predator ~~shall remain in effect after~~ 6544  
~~the offender's release, and the offender may file one or more~~ 6545  
~~petitions in accordance with the procedures and time limitations~~ 6546  
~~contained in division (D)(1) of this section for a determination~~ 6547  
~~that the offender no longer is a sexual predator~~ is permanent and 6548  
continues in effect until the offender's death and in no case 6549  
shall the classification or adjudication be removed or terminated. 6550~~

(E)(1) If a person is convicted of or pleads guilty to 6551  
committing, on or after January 1, 1997, a sexually oriented 6552  
offense that is not a registration-exempt sexually oriented 6553  
offense, the judge who is to impose sentence on the offender shall 6554  
determine, prior to sentencing, whether the offender previously 6555  
has been convicted of or pleaded guilty to, or adjudicated a 6556  
delinquent child for committing, a sexually oriented offense or a 6557  
child-victim oriented offense and is a habitual sex offender. The 6558  
judge who is to impose or has imposed an order of disposition upon 6559  
a child who is adjudicated a delinquent child for committing on or 6560  
after January 1, 2002, a sexually oriented offense that is not a 6561  
registration-exempt sexually oriented offense shall determine, 6562  
prior to entering the order classifying the delinquent child a 6563  
juvenile ~~sex~~ offender registrant, whether the delinquent child 6564  
previously has been convicted of or pleaded guilty to, or 6565  
adjudicated a delinquent child for committing, a sexually oriented 6566  
offense or a child-victim oriented offense and is a habitual sex 6567  
offender, if either of the following applies: 6568

(a) The judge is required by section 2152.82 or division (A) 6569  
of section 2152.83 of the Revised Code to classify the child a 6570  
juvenile ~~sex~~ offender registrant; 6571

(b) Division (B) of section 2152.83 of the Revised Code 6572  
applies regarding the child, the judge conducts a hearing under 6573  
that division for the purposes described in that division, and the 6574  
judge determines at that hearing that the child will be classified 6575  
a juvenile ~~sex~~ offender registrant. 6576

(2) If, under division (E)(1) of this section, the judge 6577  
determines that the offender or delinquent child previously has 6578  
not been convicted of or pleaded guilty to, or been adjudicated a 6579  
delinquent child for committing, a sexually oriented offense or a 6580  
child-victim oriented offense or that the offender otherwise does 6581  
not satisfy the criteria for being a habitual sex offender, the 6582  
judge shall specify in the offender's sentence or in the order 6583  
classifying the delinquent child a juvenile ~~sex~~ offender 6584  
registrant that the judge has determined that the offender or 6585  
delinquent child is not a habitual sex offender. ~~If~~ 6586

If, under division (E)(1) of this section, the judge 6587  
determines that the offender or delinquent child previously has 6588  
been convicted of or pleaded guilty to, or been adjudicated a 6589  
delinquent child for committing, a sexually oriented offense or a 6590  
child-victim oriented offense and that the offender satisfies all 6591  
other criteria for being a habitual sex offender, the offender or 6592  
delinquent child is a habitual sex offender or habitual 6593  
child-victim offender and the court shall determine whether to 6594  
impose a requirement that the offender or delinquent child be 6595  
subject to the community notification provisions contained in 6596  
sections 2950.10 and 2950.11 of the Revised Code. In making the 6597  
determination regarding the possible imposition of the community 6598  
notification requirement, if at least two of the sexually oriented 6599  
offenses or child-victim oriented offenses that are the basis of 6600

the habitual sex offender or habitual child-victim offender 6601  
determination were committed against a victim who was under 6602  
eighteen years of age, it is presumed that subjecting the offender 6603  
or delinquent child to the community notification provisions is 6604  
necessary in order to comply with the determinations, findings, 6605  
and declarations of the general assembly regarding sex offenders 6606  
and child-victim offenders that are set forth in section 2950.02 6607  
of the Revised Code. When a judge determines as described in this 6608  
division that an offender or delinquent child is a habitual sex 6609  
offender or a habitual child-victim offender, the judge shall 6610  
specify in the offender's sentence and the judgment of conviction 6611  
that contains the sentence or in the order classifying the 6612  
delinquent child a juvenile ~~sex~~ offender registrant that the judge 6613  
has determined that the offender or delinquent child is a habitual 6614  
sex offender and may impose a requirement in that sentence and 6615  
judgment of conviction or in that order that the offender or 6616  
delinquent child be subject to the community notification 6617  
provisions ~~regarding the offender's or delinquent child's place of~~ 6618  
~~residence that are~~ contained in sections 2950.10 and 2950.11 of 6619  
the Revised Code. Unless the habitual sex offender also has been 6620  
adjudicated ~~as being~~ a sexual predator relative to the sexually 6621  
oriented offense in question or the habitual sex offender was 6622  
convicted of or pleaded guilty to an aggravated sexually oriented 6623  
offense ~~that was committed on or after the effective date of this~~ 6624  
~~amendment~~, the offender or delinquent child shall be subject to 6625  
those community notification provisions only if the court imposes 6626  
the requirement described in this division in the offender's 6627  
sentence and the judgment of conviction or in the order 6628  
classifying the delinquent child a juvenile ~~sex~~ offender 6629  
registrant. If the court determines pursuant to this division or 6630  
division (C)(2) of this section that an offender is a habitual sex 6631  
offender, the determination is permanent and continues in effect 6632  
until the offender's death, and in no case shall the determination 6633

be removed or terminated. 6634

If a court in another state, a federal court, military court, 6635  
or Indian tribal court, or a court in any nation other than the 6636  
United States determines a person to be a habitual sex offender in 6637  
that jurisdiction, the person is considered to be determined to be 6638  
a habitual sex offender in this state. If the court in the other 6639  
state, the federal court, military court, or Indian tribal court, 6640  
or the court in the nation other than the United States subjects 6641  
the habitual sex offender to community notification regarding the 6642  
person's place of residence, the person, as much as is 6643  
practicable, is subject to the community notification provisions 6644  
regarding the person's place of residence that are contained in 6645  
sections 2950.10 and 2950.11 of the Revised Code, unless the court 6646  
that so subjected the person to community notification determines 6647  
that the person no longer is subject to community notification. 6648

(F)(1) An offender or delinquent child classified as a sexual 6649  
predator may petition the court of common pleas or, for a 6650  
delinquent child, the juvenile court of the county in which the 6651  
offender or delinquent child resides or temporarily is domiciled 6652  
to enter a determination that the offender or delinquent child is 6653  
not an adjudicated sexual predator in this state for purposes of 6654  
the ~~sex offender~~ registration and other requirements of this 6655  
chapter or the community notification provisions contained in 6656  
sections 2950.10 and 2950.11 of the Revised Code if all of the 6657  
following apply: 6658

(a) The offender or delinquent child was convicted of, 6659  
pleaded guilty to, or was adjudicated a delinquent child for 6660  
committing, a sexually oriented offense that is not a 6661  
registration-exempt sexually oriented offense in another state ~~or,~~ 6662  
in a federal court, a military court, or ~~an~~ Indian tribal court, 6663  
or in a court of any nation other than the United States. 6664

(b) As a result of the conviction, plea of guilty, or 6665

adjudication described in division (F)(1)(a) of this section, the  
offender or delinquent child is required under the law of the  
jurisdiction under which the offender or delinquent child was  
convicted, pleaded guilty, or was adjudicated to register as a sex  
offender until the offender's or delinquent child's death ~~and is~~  
~~required to verify the offender's or delinquent child's address on~~  
~~at least a quarterly basis each year.~~

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

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

(G) If, prior to the effective date of this section, an  
offender or delinquent child was adjudicated a sexual predator or  
was determined to be a habitual sex offender under this section or

section 2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code 6698  
and if, on and after the effective date of this amendment, the 6699  
sexually oriented offense upon which the classification or 6700  
determination was based no longer is considered a sexually 6701  
oriented offense but instead is a child-victim oriented offense, 6702  
notwithstanding the redesignation of that offense, on and after 6703  
the effective date of this amendment, all of the following apply: 6704

(1) Divisions (A)(1) or (2) or (E)(1) and (2) of section 6705  
2950.091 of the Revised Code apply regarding the offender or 6706  
child, and the judge's classification or determination made prior 6707  
to the effective date of this amendment shall be considered for 6708  
all purposes to be a classification or determination that 6709  
classifies the offender or child as described in those divisions. 6710

(2) The offender's or child's classification or determination 6711  
under divisions (A)(1) or (2) or (E)(1) and (2) of section 6712  
2950.091 of the Revised Code shall be considered, for purposes of 6713  
section 2950.07 of the Revised Code and for all other purposes, to 6714  
be a continuation of the classification or determination made 6715  
prior to the effective date of this amendment. 6716

(3) The offender's or child's duties under this chapter 6717  
relative to that classification or determination shall be 6718  
considered for all purposes to be a continuation of the duties 6719  
related to that classification or determination as they existed 6720  
prior to the effective date of this amendment. 6721

**Sec. 2950.091.** (A)(1) If, prior to the effective date of this 6722  
section, a person was convicted of, pleaded guilty to, or was 6723  
adjudicated a delinquent child for committing, a sexually oriented 6724  
offense, if, prior to the effective date of this section, the 6725  
offender or delinquent child was classified a sexual predator in 6726  
relation to that offense pursuant to division (A) of section 6727  
2950.09 of the Revised Code, and if, on and after the effective 6728

date of this section, the sexually oriented offense upon which the 6729  
classification was based no longer is considered a sexually 6730  
oriented offense but instead is a child-victim oriented offense, 6731  
notwithstanding the redesignation of the offense, the 6732  
classification of the offender or child as a sexual predator 6733  
remains valid and in effect on and after the effective date of 6734  
this section. 6735

(2) If, prior to the effective date of this section, a person 6736  
was convicted of, pleaded guilty to, or was adjudicated a 6737  
delinquent child for committing a sexually oriented offense, if, 6738  
prior to the effective date of this section, the offender or 6739  
delinquent child was adjudicated a sexual predator in relation to 6740  
that offense under section 2950.09 or section 2152.82, 2152.83, 6741  
2152.84, or 2152.85 of the Revised Code, if, on and after the 6742  
effective date of this section, the sexually oriented offense upon 6743  
which the adjudication was based no longer is considered a 6744  
sexually oriented offense but instead is a child-victim oriented 6745  
offense, and if division (A)(1) of this section does not apply, 6746  
notwithstanding the redesignation of the offense, on and after the 6747  
effective date of this section, the offender or delinquent child 6748  
automatically is classified a child-victim predator. If a person 6749  
is convicted, pleads guilty, or adjudicated a delinquent child in 6750  
a court of another state, in a federal court, military court, or 6751  
Indian tribal court, or in a court of any nation other than the 6752  
United States for committing a child-victim oriented offense, and 6753  
if, as a result of that conviction, plea of guilty, or 6754  
adjudication, the person is required under the law of the 6755  
jurisdiction in which the person was convicted, pleaded guilty, or 6756  
adjudicated to register as a child-victim offender or sex offender 6757  
until the person's death, that conviction, plea of guilty, or 6758  
adjudication automatically classifies the person a child-victim 6759  
predator for the purposes of this chapter, but the person may 6760  
challenge that classification pursuant to division (F) of this 6761

section. 6762

(3) In all cases not described in division (A)(1) or (2) of this section, a person who is convicted of or pleads guilty to, has been convicted of or pleaded guilty to, or is adjudicated a delinquent child for committing a child-victim oriented offense may be classified a child-victim predator for purposes of this chapter only in accordance with division (B) or (C) of this section or, regarding delinquent children, divisions (B) and (C) of section 2152.83 of the Revised Code. 6763  
6764  
6765  
6766  
6767  
6768  
6769  
6770

(B)(1)(a) Regardless of when the offense was committed, the judge who is to impose sentence on or after the effective date of this section on an offender who has been convicted of or pleaded guilty to a child-victim oriented offense shall conduct a hearing to determine whether the offender is a child-victim predator. 6771  
6772  
6773  
6774  
6775

(b) The judge who is to impose or has imposed an order of disposition upon a child who is adjudicated a delinquent child for committing on or after the effective date of this section a child-victim oriented offense shall conduct a hearing as provided in this division to determine whether the child is to be classified as a child-victim predator if either of the following applies: 6776  
6777  
6778  
6779  
6780  
6781  
6782

(i) The judge is required by section 2152.82 or division (A) of section 2152.83 of the Revised Code to classify the child a juvenile offender registrant. 6783  
6784  
6785

(ii) Division (B) of section 2152.83 of the Revised Code applies regarding the child, the judge conducts a hearing under that division for the purposes described in that division, and the judge determines at that hearing that the child will be classified a juvenile offender registrant. 6786  
6787  
6788  
6789  
6790

(2) Regarding an offender, the judge shall conduct the hearing required by division (B)(1)(a) of this section prior to 6791  
6792



sentencing and, if the child-victim oriented offense is a felony 6793  
and if the hearing is being conducted under division (B)(1)(a) of 6794  
this section, the judge may conduct it as part of the sentencing 6795  
hearing required by section 2929.19 of the Revised Code. Regarding 6796  
a delinquent child, the judge may conduct the hearing required by 6797  
division (B)(1)(b) of this section at the same time as, or 6798  
separate from, the dispositional hearing, as specified in the 6799  
applicable provision of section 2152.82 or 2152.83 of the Revised 6800  
Code. The court shall give the offender or delinquent child and 6801  
the prosecutor who prosecuted the offender or handled the case 6802  
against the delinquent child for the child-victim oriented offense 6803  
notice of the date, time, and location of the hearing. At the 6804  
hearing, the offender or delinquent child and the prosecutor have 6805  
the same opportunities and rights as described in division (B)(2) 6806  
of section 2950.09 of the Revised Code regarding sexual predator 6807  
hearings. 6808

(3) In making a determination under divisions (B)(1) and (4) 6809  
of this section as to whether an offender or delinquent child is a 6810  
child-victim predator, the judge shall consider all relevant 6811  
factors, including, but not limited to, all of the factors 6812  
identified in division (B)(3) of section 2950.09 of the Revised 6813  
Code regarding sexual predator hearings, except that all 6814  
references in the factors so identified in that division to any 6815  
"sexual offense" or "sexually oriented offense" shall be construed 6816  
for purposes of this division as being references to a 6817  
"child-victim oriented offense" and all references in the factors 6818  
so identified to "sexual offenders" shall be construed for 6819  
purposes of this division as being references to "child-victim 6820  
offenders." 6821

(4) After reviewing all testimony and evidence presented at 6822  
the hearing conducted under division (B)(1) of this section and 6823  
the factors specified in division (B)(3) of this section, the 6824

court shall determine by clear and convincing evidence whether the 6825  
subject offender or delinquent child is a child-victim predator. 6826  
If the court determines that the subject offender or delinquent 6827  
child is not a child-victim predator, the court shall specify in 6828  
the offender's sentence and the judgment of conviction that 6829  
contains the sentence or in the delinquent child's dispositional 6830  
order, as appropriate, that the court has determined that the 6831  
offender or delinquent child is not a child-victim predator and 6832  
the reason or reasons why the court determined that the subject 6833  
offender or delinquent child is not a child-victim predator. If 6834  
the court determines by clear and convincing evidence that the 6835  
subject offender or delinquent child is a child-victim predator, 6836  
the court shall specify in the offender's sentence and the 6837  
judgment of conviction that contains the sentence or in the 6838  
delinquent child's dispositional order, as appropriate, that the 6839  
court has determined that the offender or delinquent child is a 6840  
child-victim predator and shall specify that the determination was 6841  
pursuant to division (B) of this section. The offender or 6842  
delinquent child and the prosecutor who prosecuted the offender or 6843  
handled the case against the delinquent child for the child-victim 6844  
oriented offense in question may appeal as a matter of right the 6845  
court's determination under this division as to whether the 6846  
offender or delinquent child is, or is not, a child-victim 6847  
predator. 6848

(C)(1) If, prior to the effective date of this section, a 6849  
person was convicted of or pleaded guilty to a sexually oriented 6850  
offense, if, on and after the effective date of this section, the 6851  
sexually oriented offense no longer is considered a sexually 6852  
oriented offense but instead is a child-victim oriented offense, 6853  
if the person was not sentenced for the offense on or after 6854  
January 1, 1997, and if, on or after the effective date of this 6855  
section, the offender is serving a term of imprisonment in a state 6856  
correctional institution, the department of rehabilitation and 6857

correction shall determine whether to recommend that the offender 6858  
be adjudicated a child-victim predator. In making a determination 6859  
under this division as to whether to recommend that the offender 6860  
be adjudicated a child-victim predator, the department shall 6861  
consider all relevant factors, including, but not limited to, all 6862  
of the factors specified in divisions (B)(2) and (3) of this 6863  
section. If the department determines that it will recommend that 6864  
the offender be adjudicated a child-victim predator or determines 6865  
that it will not recommend that the offender be adjudicated a 6866  
child-victim predator, it immediately shall send its 6867  
recommendation or determination to the court that sentenced the 6868  
offender. In all cases, the department shall enter its 6869  
determination and recommendation in the offender's institutional 6870  
record, and the court shall proceed in accordance with division 6871  
(C)(2) of this section. 6872

(2)(a) If, pursuant to division (C)(1) of this section, the 6873  
department of rehabilitation and correction sends to a court a 6874  
recommendation that an offender be adjudicated a child-victim 6875  
predator, the court is not bound by the department's 6876  
recommendation, and the court shall conduct a hearing to determine 6877  
whether the offender is a child-victim predator. In any case, the 6878  
court shall not make a determination that the offender is, or is 6879  
not, a child-victim predator without a hearing. The court may hold 6880  
the hearing and make the determination prior to the offender's 6881  
release from imprisonment or at any time within one year following 6882  
the offender's release from that imprisonment. 6883

(b) If, pursuant to division (C)(1) of this section, the 6884  
department sends to the court a determination that it is not 6885  
recommending that an offender be adjudicated a child-victim 6886  
predator, the court shall not make any determination as to whether 6887  
the offender is, or is not, a child-victim predator but shall 6888  
determine whether the offender previously has been convicted of or 6889

pleaded guilty to a child-victim oriented offense other than the 6890  
offense in relation to which the department made its 6891  
determination. 6892

The court may conduct a hearing to determine whether the 6893  
offender previously has been convicted of or pleaded guilty to a 6894  
child-victim oriented offense but may make the determination 6895  
without a hearing. However, if the court determines that the 6896  
offender previously has been convicted of or pleaded guilty to an 6897  
offense of that nature, it shall not impose a requirement that the 6898  
offender be subject to the community notification provisions 6899  
contained in sections 2950.10 and 2950.11 of the Revised Code 6900  
without a hearing. The court shall include in the offender's 6901  
institutional record any determination made under this division as 6902  
to whether the offender previously has been convicted of or 6903  
pleaded guilty to a child-victim oriented offense and whether the 6904  
offender is a habitual child-victim offender. 6905

(c) Upon scheduling a hearing under division (C)(2)(a) or (b) 6906  
of this section, the court shall give the offender and the 6907  
prosecutor who prosecuted the offender for the child-victim 6908  
oriented offense, or that prosecutor's successor in office, notice 6909  
of the date, time, and place of the hearing. If the hearing is 6910  
scheduled under division (C)(2)(a) of this section to determine 6911  
whether the offender is a child-victim predator, it shall be 6912  
conducted in the manner described in division (B)(1) of this 6913  
section regarding hearings conducted under that division, and, in 6914  
making a determination under this division as to whether the 6915  
offender is a child-victim predator, the court shall consider all 6916  
relevant factors, including, but not limited to, all of the 6917  
factors specified in divisions (B)(2) and (3) of this section. 6918  
After reviewing all testimony and evidence presented at the 6919  
child-victim predator hearing and the factors specified in 6920  
divisions (B)(2) and (3) of this section, the court shall 6921

determine by clear and convincing evidence whether the offender is 6922  
a child-victim predator. If the court determines at the 6923  
child-victim predator hearing that the offender is not a 6924  
child-victim predator, it also shall determine whether the 6925  
offender previously has been convicted of or pleaded guilty to a 6926  
child-victim oriented offense other than the offense in relation 6927  
to which the hearing is being conducted. 6928

Upon making its determinations at the child-victim predator 6929  
hearing, the court shall proceed as follows: 6930

(i) If the court determines that the offender is not a 6931  
child-victim predator and that the offender previously has not 6932  
been convicted of or pleaded guilty to a child-victim oriented 6933  
offense other than the offense in relation to which the hearing is 6934  
being conducted, it shall include in the offender's institutional 6935  
record its determinations and the reason or reasons why it 6936  
determined that the offender is not a child-victim predator. 6937

(ii) If the court determines that the offender is not a 6938  
child-victim predator but that the offender previously has been 6939  
convicted of or pleaded guilty to a child-victim oriented offense 6940  
other than the offense in relation to which the hearing is being 6941  
conducted, it shall include in the offender's institutional record 6942  
its determination that the offender is not a child-victim predator 6943  
but is a habitual child-victim offender and the reason or reasons 6944  
why it determined that the offender is not a child-victim 6945  
predator, shall attach the determinations and the reason or 6946  
reasons to the offender's sentence, shall specify that the 6947  
determinations were made pursuant to division (C) of this section, 6948  
shall provide a copy of the determinations and the reason or 6949  
reasons to the offender, to the prosecuting attorney, and to the 6950  
department of rehabilitation and correction, and may impose a 6951  
requirement that the offender be subject to the community 6952  
notification provisions contained in sections 2950.10 and 2950.11 6953

of the Revised Code. The offender shall not be subject to those 6954  
community notification provisions relative to the child-victim 6955  
oriented offense in question if the court does not so impose the 6956  
requirement described in this division. If the court imposes that 6957  
requirement, the offender may appeal the judge's determination 6958  
that the offender is a habitual child-victim offender. 6959

(iii) If the court determines by clear and convincing 6960  
evidence that the offender is a child-victim predator, it shall 6961  
enter its determination in the offender's institutional record, 6962  
shall attach the determination to the offender's sentence, shall 6963  
specify that the determination was made pursuant to division (C) 6964  
of this section, and shall provide a copy of the determination to 6965  
the offender, to the prosecuting attorney, and to the department 6966  
of rehabilitation and correction. The offender and the prosecutor 6967  
may appeal as a matter of right the judge's determination under 6968  
this division as to whether the offender is, or is not, a 6969  
child-victim predator. 6970

If the hearing is scheduled under division (C)(2)(b) of this 6971  
section to determine whether the offender previously has been 6972  
convicted of or pleaded guilty to a child-victim oriented offense 6973  
or whether to subject the offender to the community notification 6974  
provisions contained in sections 2950.10 and 2950.11 of the 6975  
Revised Code, upon making the determination, the court shall 6976  
attach the determination or determinations to the offender's 6977  
sentence, shall provide a copy to the offender, to the prosecuting 6978  
attorney, and to the department of rehabilitation and correction 6979  
and may impose a requirement that the offender be subject to the 6980  
community notification provisions. The offender shall not be 6981  
subject to the community notification provisions relative to the 6982  
child-victim oriented offense in question if the court does not so 6983  
impose the requirement described in this division. If the court 6984  
imposes that requirement, the offender may appeal the judge's 6985

determination that the offender is a habitual child-victim 6986  
offender. 6987

(3) Divisions (C)(1) and (2) of this section do not require a 6988  
court to conduct a new hearing under those divisions for any 6989  
offender regarding a child-victim oriented offense if, prior to 6990  
the effective date of this section, the court previously conducted 6991  
a hearing under divisions (C)(1) and (2) of section 2950.09 of the 6992  
Revised Code regarding that offense, while it formerly was 6993  
classified a sexually oriented offense, to determine whether the 6994  
offender was a sexual predator. Divisions (C)(1) and (2) of this 6995  
section do not require a court to conduct a hearing under those 6996  
divisions for any offender regarding a child-victim oriented 6997  
offense if, prior to the effective date of this section and 6998  
pursuant to divisions (C)(1) and (2) of section 2950.09 of the 6999  
Revised Code, the department of rehabilitation and correction 7000  
recommended that the offender be adjudicated a sexual predator 7001  
regarding that offense, while it formerly was classified a 7002  
sexually oriented offense, and the court denied the recommendation 7003  
and determined that the offender was not a sexual predator without 7004  
a hearing, provided that this provision does not apply if the 7005  
child-victim oriented offense in question was an offense described 7006  
in division (D)(1)(c) of section 2950.01 of the Revised Code. 7007

(D)(1) Division (D) of this section does not apply to any 7008  
person who has been convicted of or pleaded guilty to a 7009  
child-victim oriented offense. Division (D) of this section 7010  
applies only to delinquent children as provided in Chapter 2152. 7011  
of the Revised Code. A person who has been adjudicated a 7012  
delinquent child for committing a child-victim oriented offense 7013  
and who has been classified by a juvenile court judge a juvenile 7014  
offender registrant or, if applicable, additionally has been 7015  
determined by a juvenile court judge to be a child-victim predator 7016  
or habitual child-victim offender, may petition the adjudicating 7017

court for a reclassification or declassification pursuant to 7018  
section 2152.85 of the Revised Code. 7019

A judge who is reviewing a child-victim predator 7020  
determination for a delinquent child under section 2152.84 or 7021  
2152.85 of the Revised Code shall comply with this section. At the 7022  
hearing, the judge shall consider all relevant evidence and 7023  
information, including, but not limited to, the factors set forth 7024  
in division (B)(3) of this section. The judge shall not enter a 7025  
determination that the delinquent child no longer is a 7026  
child-victim predator unless the judge determines by clear and 7027  
convincing evidence that the delinquent child is unlikely to 7028  
commit a child-victim oriented offense in the future. If the judge 7029  
enters a determination under this division that the delinquent 7030  
child no longer is a child-victim predator, the judge shall notify 7031  
the bureau of criminal identification and investigation of the 7032  
determination and shall include in the notice a statement of the 7033  
reason or reasons why it determined that the delinquent child no 7034  
longer is a child-victim predator. Upon receipt of the 7035  
notification, the bureau promptly shall notify the sheriff with 7036  
whom the delinquent child most recently registered under section 7037  
2950.04 or 2950.05 of the Revised Code of the determination that 7038  
the offender no longer is a child-victim predator. 7039

(2) If an offender who has been convicted of or pleaded 7040  
guilty to a child-victim oriented offense is classified a 7041  
child-victim predator pursuant to division (A) of this section or 7042  
has been adjudicated a child-victim predator relative to the 7043  
offense as described in division (B) or (C) of this section, 7044  
subject to division (F) of this section, the classification or 7045  
adjudication of the offender as a child-victim predator is 7046  
permanent and continues in effect until the offender's death, and 7047  
in no case shall the classification or adjudication be removed or 7048  
terminated. 7049



(E)(1) If, prior to the effective date of this section, a person was convicted of, pleaded guilty to, or adjudicated a delinquent child for committing a sexually oriented offense, if, on and after the effective date of this section, the sexually oriented offense no longer is considered a sexually oriented offense but instead is a child-victim oriented offense, if, prior to the effective date of this section, a judge determined that the offender or delinquent child was a habitual sex offender, and if one or more of the offenses that was the basis of the offender or delinquent child being a habitual sex offender remains on and after the effective date of this section a sexually oriented offense, notwithstanding the redesignation of the offense as described in this division, the determination and classification of that person as a habitual sex offender remains valid and in effect on and after the effective date of this section.

(2) If, prior to the effective date of this section, a person was convicted of, pleaded guilty to, or adjudicated a delinquent child for committing a sexually oriented offense, if, on and after the effective date of this section, the sexually oriented offense no longer is considered a sexually oriented offense but instead is a child-victim oriented offense, if, prior to the effective date of this section, a judge determined that the offender or delinquent child was a habitual sex offender, and if none of the offenses that was the basis of the offender or delinquent child being a habitual sex offender remains on and after the effective date of this section a sexually oriented offense, on and after the effective date of this section, the offender or delinquent child automatically is classified a habitual child-victim offender.

(3) If a person is convicted of or pleads guilty to committing a child-victim oriented offense and is to be sentenced for the offense on or after the effective date of this section, the judge who is to impose sentence on the offender shall

determine, prior to sentencing, whether the offender previously 7082  
has been convicted of or pleaded guilty to, or adjudicated a 7083  
delinquent child for committing, a child-victim oriented offense 7084  
and is a habitual child-victim offender. The judge who is to 7085  
impose or has imposed an order of disposition on or after the 7086  
effective date of this section upon a child who is adjudicated a 7087  
delinquent child for committing a child-victim oriented offense 7088  
shall determine, prior to entering the order classifying the 7089  
delinquent child a juvenile child-victim offender registrant, 7090  
whether the delinquent child previously has been convicted of or 7091  
pleaded guilty to, or adjudicated a delinquent child for 7092  
committing, a child-victim oriented offense and is a habitual 7093  
child-victim offender, if either of the following applies: 7094

(a) The judge is required by section 2152.82 or division (A) 7095  
of section 2152.83 of the Revised Code to classify the child a 7096  
juvenile offender registrant. 7097

(b) Division (B) of section 2152.83 of the Revised Code 7098  
applies regarding the child, the judge conducts a hearing under 7099  
that division for the purposes described in that division, and the 7100  
judge determines at that hearing that the child will be classified 7101  
a juvenile offender registrant. 7102

(4) If, under division (E)(3) of this section, the judge 7103  
determines that the offender or delinquent child previously has 7104  
not been convicted of or pleaded guilty to, or been adjudicated a 7105  
delinquent child for committing, a child-victim oriented offense 7106  
or that the offender otherwise does not satisfy the criteria for 7107  
being a habitual child-victim offender, the judge shall specify in 7108  
the offender's sentence or in the order classifying the delinquent 7109  
child a juvenile child-victim offender registrant that the judge 7110  
has determined that the offender or delinquent child is not a 7111  
habitual child-victim offender. If the judge determines that the 7112  
offender or delinquent child previously has been convicted of or 7113

pleaded guilty to, or been adjudicated a delinquent child for 7114  
committing, a child-victim oriented offense and that the offender 7115  
satisfies all other criteria for being a habitual child-victim 7116  
offender, the judge shall specify in the offender's sentence and 7117  
the judgment of conviction that contains the sentence or in the 7118  
order classifying the delinquent child a juvenile offender 7119  
registrant that the judge has determined that the offender or 7120  
delinquent child is a habitual child-victim offender and may 7121  
impose a requirement in that sentence and judgment of conviction 7122  
or in that order that the offender or delinquent child be subject 7123  
to the community notification provisions contained in sections 7124  
2950.10 and 2950.11 of the Revised Code. Unless the habitual 7125  
child-victim offender also has been adjudicated a child-victim 7126  
predator relative to the child-victim oriented offense in 7127  
question, the offender or delinquent child shall be subject to 7128  
those community notification provisions only if the court imposes 7129  
the requirement described in this division in the offender's 7130  
sentence and the judgment of conviction or in the order 7131  
classifying the delinquent child a juvenile offender registrant. 7132  
If the court determines pursuant to this division or division 7133  
(C)(2) of this section that an offender is a habitual child-victim 7134  
offender, the determination is permanent and continues in effect 7135  
until the offender's death, and in no case shall the determination 7136  
be removed or terminated. 7137

If a court in another state, a federal court, military court, 7138  
or Indian tribal court, or a court in any nation other than the 7139  
United States, determines a person is a habitual child-victim 7140  
offender in that jurisdiction, the person is considered to be 7141  
determined a habitual child-victim offender in this state. If the 7142  
court in the other state, the federal court, military court, or 7143  
Indian tribal court, or the court in any nation other than the 7144  
United States subjects the habitual child-victim offender to 7145  
community notification regarding the person's place of residence, 7146

the person, as much as is practicable, is subject to the community notification provisions regarding the person's place of residence that are contained in sections 2950.10 and 2950.11 of the Revised Code, unless the court that so subjected the person to community notification determines that the person no longer is subject to community notification.

(F)(1) An offender or delinquent child classified a child-victim predator may petition the court of common pleas or, for a delinquent child, the juvenile court of the county in which the offender or delinquent child resides or temporarily is domiciled to enter a determination that the offender or delinquent child is not an adjudicated child-victim predator in this state for purposes of the registration and other requirements of this chapter or the community notification provisions contained in sections 2950.10 and 2950.11 of the Revised Code if all of the following apply:

(a) The offender or delinquent child was convicted, pleaded guilty, or adjudicated a delinquent child in a court of another state, in a federal court, a military court, or Indian tribal court, or in a court of any nation other than the United States for committing a child-victim oriented offense.

(b) As a result of the conviction, plea of guilty, or adjudication described in division (F)(1)(a) of this section, the offender or delinquent child is required under the law of the jurisdiction under which the offender or delinquent child was convicted, pleaded guilty, or was adjudicated to register as a child-victim offender until the offender's or delinquent child's death.

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

(2) The court may enter a determination that the offender or delinquent child filing the petition described in division (F)(1) of this section is not an adjudicated child-victim predator in this state for purposes of the registration and other requirements of this chapter or the community notification provisions contained in sections 2950.10 and 2950.11 of the Revised Code only if the offender or delinquent child proves by clear and convincing evidence that the requirement of the other jurisdiction that the offender or delinquent child register as a child-victim offender until the offender's or delinquent child's death is not substantially similar to a classification as a child-victim predator for purposes of this chapter. If the court enters a determination that the offender or delinquent child is not an adjudicated child-victim predator in this state for those purposes, the court shall include in the determination a statement of the reason or reasons why it so determined.

**Sec. 2950.10.** (A)(1) If a person is convicted of or pleads guilty to, or has been convicted of or pleaded guilty to, either a sexually oriented offense that is not a registration-exempt sexually oriented offense or a child-victim oriented offense or a person is adjudicated a delinquent child for committing either a sexually oriented offense that is not a registration-exempt sexually oriented offense or a child-victim 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 is in any category specified in division (B)(1)(a), (b), or (c) of this section, if the offender or delinquent child registers with a sheriff pursuant to section 2950.04, 2950.041, or 2950.05 of the Revised Code, and if the victim of the sexually oriented offense or child-victim 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 7211  
section, the sheriff shall notify the victim of the sexually 7212  
oriented offense or child-victim oriented offense, in writing, 7213  
that the offender or delinquent child has registered and shall 7214  
include in the notice the offender's ~~or delinquent child's~~ name 7215  
and ~~residence~~ the address or addresses of the offender's 7216  
residence, school, institution of higher education, or place of 7217  
employment, as applicable, or the delinquent child's name and 7218  
residence address or addresses. The sheriff shall provide the 7219  
notice required by this division to the victim at the most recent 7220  
residence address available for that victim, not later than 7221  
~~seventy-two hours~~ five days after the offender or delinquent child 7222  
registers with the sheriff. 7223

(2) If a person is convicted of or pleads guilty to, or has 7224  
been convicted of or pleaded guilty to, either a sexually oriented 7225  
offense that is not a registration-exempt sexually oriented 7226  
offense or a child-victim oriented offense or a person is 7227  
adjudicated a delinquent child for committing either a sexually 7228  
oriented offense that is not a registration-exempt sexually 7229  
oriented offense or a child-victim oriented offense and is 7230  
classified a juvenile ~~sex~~ offender registrant or is an 7231  
out-of-state juvenile ~~sex~~ offender registrant based on that 7232  
adjudication, if the offender or delinquent child is in any 7233  
category specified in division (B)(1)(a), (b), or (c) of this 7234  
section, if the offender or delinquent child registers with a 7235  
sheriff pursuant to section 2950.04, 2950.041, or 2950.05 of the 7236  
Revised Code, if the victim of the sexually oriented offense or 7237  
child-victim oriented offense has made a request in accordance 7238  
with rules adopted by the attorney general that specifies that the 7239  
victim would like to be provided the notices described in this 7240  
section, and if the offender ~~or delinquent child~~ notifies the 7241  
sheriff of a change of residence, school, institution of higher 7242  
education, or place of employment address or the delinquent child 7243

notifies the sheriff of a change of residence address pursuant to 7244  
section 2950.05 of the Revised Code, the sheriff shall notify the 7245  
victim of the sexually oriented offense or child-victim oriented 7246  
offense, in writing, that the offender's or delinquent child's 7247  
~~residence~~ address has changed and shall include in the notice the 7248  
offender's ~~or delinquent child's~~ name and the new residence 7249  
address or addresses of the offender's residence, school, 7250  
institution of higher education, or place of employment, as 7251  
applicable, or the delinquent child's name and new residence 7252  
address or addresses. The sheriff shall provide the notice 7253  
required by this division to the victim at the most recent 7254  
residence address available for that victim, no later than 7255  
~~seventy two hours~~ five days after the offender or delinquent child 7256  
notifies the sheriff of the change in the offender's or delinquent 7257  
child's residence, school, institution of higher education, or 7258  
place of employment address. 7259

(3) If a person is convicted of or pleads guilty to, or has 7260  
been convicted of or pleaded guilty to, either a sexually oriented 7261  
offense that is not a registration-exempt sexually oriented 7262  
offense or a child-victim oriented offense or a person is 7263  
adjudicated a delinquent child for committing either a sexually 7264  
oriented offense that is not a registration-exempt sexually 7265  
oriented offense or a child-victim oriented offense and is 7266  
classified a juvenile ~~sex~~ offender registrant or is an 7267  
out-of-state juvenile ~~sex~~ offender registrant based on that 7268  
adjudication, and if the offender or delinquent child is 7269  
~~adjudicated as being a sexual predator relative to the sexually~~ 7270  
~~oriented offense or the offender or delinquent child is determined~~ 7271  
~~pursuant to division (E) of section 2950.09, division (B) of~~ 7272  
~~section 2152.83, section 2152.84, or section 2152.85 of the~~ 7273  
~~Revised Code to be a habitual sex offender and is made subject to~~ 7274  
in any category specified in division (B)(1)(a), (b), or (c) of 7275  
this section, the victim of the offense may make a request in 7276

accordance with rules adopted by the attorney general pursuant to 7277  
section 2950.13 of the Revised Code that specifies that the victim 7278  
would like to be provided the notices described in divisions 7279  
(A)(1) and (2) of this section. If the victim makes a request in 7280  
accordance with those rules, the sheriff described in divisions 7281  
(A)(1) and (2) of this section shall provide the victim with the 7282  
notices described in those divisions. 7283

(4) If a victim makes a request as described in division 7284  
(A)(3) of this section that specifies that the victim would like 7285  
to be provided the notices described in divisions (A)(1) and (2) 7286  
of this section, all information a sheriff obtains regarding the 7287  
victim from or as a result of the request is confidential, and the 7288  
information is not a public record open for inspection under 7289  
section 149.43 of the Revised Code. 7290

(5) The notices described in divisions (A)(1) and (2) of this 7291  
section are in addition to any notices regarding the offender or 7292  
delinquent child that the victim is entitled to receive under 7293  
Chapter 2930. of the Revised Code. 7294

(B)(1) The duties to provide the notices described in 7295  
divisions (A)(1) and (2) of this section apply regarding any 7296  
offender or delinquent child who is in any of the following 7297  
categories, if the other criteria set forth in division (A)(1) or 7298  
(2) of this section, whichever is applicable, are satisfied: 7299

(a) The offender or delinquent child has been adjudicated a 7300  
sexual predator relative to the sexually oriented offense for 7301  
which the offender or delinquent child has the duty to register 7302  
under section 2950.04 of the Revised Code or has been adjudicated 7303  
a child-victim predator relative to the child-victim oriented 7304  
offense for which the offender or child has the duty to register 7305  
under section 2950.041 of the Revised Code, and the court has not 7306  
subsequently determined pursuant to ~~division (D) of section~~ 7307  
~~2950.09~~, section 2152.84, or ~~section~~ 2152.85 of the Revised Code 7308



regarding a delinquent child that the ~~offender or~~ delinquent child 7309  
no longer is a sexual predator or no longer is a child-victim 7310  
predator, whichever is applicable. 7311

(b) The offender or delinquent child has been determined 7312  
pursuant to division (C)(2) or (E) of section 2950.09 or 2950.091, 7313  
division (B) of section 2152.83, section 2152.84, or section 7314  
2152.85 of the Revised Code to be a habitual sex offender or a 7315  
habitual child-victim offender, the court has imposed a 7316  
requirement under that division or section subjecting the habitual 7317  
sex offender or habitual child-victim offender to this section, 7318  
and the determination has not been removed pursuant to section 7319  
2152.84 or 2152.85 of the Revised Code regarding a delinquent 7320  
child. 7321

(c) The sexually oriented offense for which the offender has 7322  
the duty to register under section 2950.04 of the Revised Code is 7323  
an aggravated sexually oriented offense ~~committed on or after the~~ 7324  
~~effective date of this amendment~~, regardless of whether the 7325  
offender has been adjudicated a sexual predator relative to the 7326  
offense or has been determined to be a habitual sex offender and, 7327  
if the offender has been so ~~adjudicated or~~ determined to be a 7328  
habitual sex offender, regardless of whether the ~~court has~~ 7329  
~~subsequently determined that the offender no longer is a sexual~~ 7330  
~~predator or whether the~~ habitual sex offender determination has 7331  
not been removed as described in division (A)(1)(~~a~~) ~~or~~ (b) of this 7332  
section. 7333

(2) A victim of a sexually oriented offense that is not a 7334  
registration-exempt sexually oriented offense or of a child-victim 7335  
oriented offense is not entitled to be provided any notice 7336  
described in division (A)(1) or (2) of this section unless the 7337  
offender or delinquent child is in a category specified in 7338  
division (B)(1)(a), (b), or (c) of this section. A victim of a 7339  
sexually oriented offense that is not a registration-exempt 7340

sexually oriented offense or of a child-victim oriented offense is 7341  
not entitled to any notice described in division (A)(1) or (2) of 7342  
this section unless the victim makes a request in accordance with 7343  
rules adopted by the attorney general pursuant to section 2950.13 7344  
of the Revised Code that specifies that the victim would like to 7345  
be provided the notices described in divisions (A)(1) and (2) of 7346  
this section. This division does not affect any rights of a victim 7347  
of a sexually oriented offense or child-victim oriented offense to 7348  
be provided notice regarding an offender or delinquent child that 7349  
are described in Chapter 2930. of the Revised Code. 7350

**Sec. 2950.11.** (A) As used in this section, "specified 7351  
geographical notification area" means the geographic area or areas 7352  
within which the attorney general, by rule adopted under section 7353  
2950.13 of the Revised Code, requires the notice described in 7354  
division (B) of this section to be given to the persons identified 7355  
in divisions (A)(2) to (8) of this section. If a person is 7356  
convicted of or pleads guilty to, or has been convicted of or 7357  
pleaded guilty to, either a sexually oriented offense that is not 7358  
a registration-exempt sexually oriented offense or a child-victim 7359  
oriented offense, or a person is adjudicated a delinquent child 7360  
for committing either a sexually oriented offense that is not a 7361  
registration-exempt sexually oriented offense or a child-victim 7362  
oriented offense and is classified a juvenile ~~sex~~ offender 7363  
registrant or is an out-of-state juvenile ~~sex~~ offender registrant 7364  
based on that adjudication, and if the offender or delinquent 7365  
child is in any category specified in division (F)(1)(a), (b), or 7366  
(c) of this section, the sheriff with whom the offender or 7367  
delinquent child has most recently registered under section 7368  
2950.04, 2950.041, or 2950.05 of the Revised Code and the sheriff 7369  
to whom the offender or delinquent child most recently sent a 7370  
notice of intent to reside under section 2950.04 or 2950.041 of 7371  
the Revised Code, within the period of time specified in division 7372

(C) of this section, shall provide a written notice containing the information set forth in division (B) of this section to all of the ~~following~~ persons described in divisions (A)(1) to (9) of this section. If the sheriff has sent a notice to the persons described in those divisions as a result of receiving a notice of intent to reside and if the offender or delinquent child registers a residence address that is the same residence address described in the notice of intent to reside, the sheriff is not required to send an additional notice when the offender or delinquent child registers. The sheriff shall provide the notice to all of the following persons:

(1) ~~All occupants of residences~~ (a) Any occupant of each residential unit that is located within one thousand feet of the offender's or delinquent child's ~~place of residence~~ residential premises, that ~~are~~ is located within the county served by the sheriff, and all that is not located in a multi-unit building. Division (D)(3) of this section applies regarding notices required under this division.

(b) If the offender or delinquent child resides in a multi-unit building, any occupant of each residential unit that is located in that multi-unit building and that shares a common hallway with the offender or delinquent child. For purposes of this division, an occupant's unit shares a common hallway with the offender or delinquent child if the entrance door into the occupant's unit is located on the same floor and opens into the same hallway as the entrance door to the unit the offender or delinquent child occupies. Division (D)(3) of this section applies regarding notices required under this division.

(c) The building manager, or the person the building owner or condominium unit owners association authorizes to exercise management and control, of each multi-unit building that is located within one thousand feet of the offender's or delinquent

child's residential premises, including a multi-unit building in 7405  
which the offender or delinquent child resides, and that is 7406  
located within the county served by the sheriff. In addition to 7407  
notifying the building manager or the person authorized to 7408  
exercise management and control in the multi-unit building under 7409  
this division, the sheriff shall post a copy of the notice 7410  
prominently in each common entryway in the building and any other 7411  
location in the building the sheriff determines appropriate. The 7412  
manager or person exercising management and control of the 7413  
building shall permit the sheriff to post copies of the notice 7414  
under this division as the sheriff determines appropriate. In lieu 7415  
of posting copies of the notice as described in this division, a 7416  
sheriff may provide notice to all occupants of the multi-unit 7417  
building by mail or personal contact; if the sheriff so notifies 7418  
all the occupants, the sheriff is not required to post copies of 7419  
the notice in the common entryways to the building. Division 7420  
(D)(3) of this section applies regarding notices required under 7421  
this division. 7422

(d) All additional neighbors of the offender or delinquent 7423  
child persons who are within any category of neighbors of the 7424  
offender or delinquent child that the attorney general by rule 7425  
adopted under section 2950.13 of the Revised Code requires to be 7426  
provided the notice and who reside within the county served by the 7427  
sheriff; 7428

(2) The executive director of the public children services 7429  
agency that has jurisdiction within the specified geographical 7430  
notification area and that is located within the county served by 7431  
the sheriff; 7432

(3)(a) The superintendent of each board of education of a 7433  
school district that has schools within the specified geographical 7434  
notification area and that is located within the county served by 7435  
the sheriff; 7436

(b) The principal of the school within the specified 7437  
geographical notification area and within the county served by the 7438  
sheriff that the delinquent child attends; 7439

(c) If the delinquent child attends a school outside of the 7440  
specified geographical notification area or outside of the school 7441  
district where the delinquent child resides, the superintendent of 7442  
the board of education of a school district that governs the 7443  
school that the delinquent child attends and the principal of the 7444  
school that the delinquent child attends. 7445

(4)(a) The appointing or hiring officer of each chartered 7446  
nonpublic school located within the specified geographical 7447  
notification area and within the county served by the sheriff or 7448  
of each other school located within the specified geographical 7449  
notification area and within the county served by the sheriff and 7450  
that is not operated by a board of education described in division 7451  
(A)(3) of this section; 7452

(b) Regardless of the location of the school, the appointing 7453  
or hiring officer of a chartered nonpublic school that the 7454  
delinquent child attends. 7455

(5) The director, head teacher, elementary principal, or site 7456  
administrator of each preschool program governed by Chapter 3301. 7457  
of the Revised Code that is located within the specified 7458  
geographical notification area and within the county served by the 7459  
sheriff; 7460

(6) The administrator of each child day-care center or type A 7461  
family day-care home that is located within the specified 7462  
geographical notification area and within the county served by the 7463  
sheriff, and the provider of each certified type B family day-care 7464  
home that is located within the specified geographical 7465  
notification area and within the county served by the sheriff. As 7466  
used in this division, "child day-care center," "type A family 7467

day-care home," and "certified type B family day-care home" have 7468  
the same meanings as in section 5104.01 of the Revised Code. 7469

(7) The president or other chief administrative officer of 7470  
each institution of higher education, as defined in section 7471  
2907.03 of the Revised Code, that is located within the specified 7472  
geographical notification area and within the county served by the 7473  
sheriff, and the chief law enforcement officer of the state 7474  
university law enforcement agency or campus police department 7475  
established under section 3345.04 or 1713.50 of the Revised Code, 7476  
if any, that serves that institution; 7477

(8) The sheriff of each county that includes any portion of 7478  
the specified geographical notification area; 7479

(9) If the offender or delinquent child resides within the 7480  
county served by the sheriff, the chief of police, marshal, or 7481  
other chief law enforcement officer of the municipal corporation 7482  
in which the offender or delinquent child resides or, if the 7483  
offender or delinquent child resides in an unincorporated area, 7484  
the constable or chief of the police department or police district 7485  
police force of the township in which the offender or delinquent 7486  
child resides. 7487

(B) The notice required under division (A) of this section 7488  
shall include all of the following information regarding the 7489  
subject offender or delinquent child: 7490

(1) The offender's or delinquent child's name; 7491

(2) The address or addresses ~~at which the offender or~~ 7492  
~~delinquent child resides~~ of the offender's residence, school, 7493  
institution of higher education, or place of employment, as 7494  
applicable, or the delinquent child's residence address or 7495  
addresses; 7496

(3) The sexually oriented offense or child-victim oriented 7497  
offense of which the offender was convicted, to which the offender 7498

pleaded guilty, or for which the child was adjudicated a 7499  
delinquent child; 7500

(4) All of the following statements that are applicable: 7501

(a) A statement that the offender ~~or delinquent child~~ has 7502  
been adjudicated ~~as being~~ a sexual predator , a statement that the 7503  
offender has been convicted of or pleaded guilty to an aggravated 7504  
sexually oriented offense, a statement that the delinquent child 7505  
has been adjudicated a sexual predator and that, as of the date of 7506  
the notice, the court has not entered a determination that the 7507  
~~offender or~~ delinquent child no longer is a sexual predator, or a 7508  
statement that the sentencing or reviewing judge has determined 7509  
that the offender or delinquent child is a habitual sex offender 7510  
and that, as of the date of the notice, the determination 7511  
regarding a delinquent child has not been removed pursuant to 7512  
section 2152.84 or 2152.85 of the Revised Code; 7513

(b) A statement that the offender has been adjudicated a 7514  
child-victim predator, a statement that the delinquent child has 7515  
been adjudicated a child-victim predator and that, as of the date 7516  
of the notice, the court has not entered a determination that the 7517  
delinquent child no longer is a child-victim predator, or a 7518  
statement that the sentencing or reviewing judge has determined 7519  
that the offender or delinquent child is a habitual child-victim 7520  
offender and that, as of the date of the notice, the determination 7521  
regarding a delinquent child has not been removed pursuant to 7522  
section 2152.84 or 2152.85 of the Revised Code. 7523

(C) If a sheriff with whom an offender or delinquent child 7524  
registers under section 2950.04, ~~2950.041~~, or 2950.05 of the 7525  
Revised Code or to whom the offender or delinquent child most 7526  
recently sent a notice of intent to reside under section 2950.04 7527  
or 2950.041 of the Revised Code is required by division (A) of 7528  
this section to provide notices regarding an offender or 7529  
delinquent child and if, pursuant to that requirement, the sheriff 7530

provides a notice to a sheriff of one or more other counties in 7531  
accordance with division (A)(8) of this section, the sheriff of 7532  
each of the other counties who is provided notice under division 7533  
(A)(8) of this section shall provide the notices described in 7534  
divisions (A)(1) to (7) and (A)(9) of this section to each person 7535  
or entity identified within those divisions that is located within 7536  
the specified geographical notification area and within the county 7537  
served by the sheriff in question. 7538

(D)(1) A sheriff required by division (A) or (C) of this 7539  
section to provide notices regarding an offender or delinquent 7540  
child shall provide the notice to the neighbors that are described 7541  
in division (A)(1) of this section and the notices to law 7542  
enforcement personnel that are described in divisions (A)(8) and 7543  
(9) of this section as soon as practicable, but no later than 7544  
~~seventy two hours~~ five days after the offender sends the notice of 7545  
intent to reside to the sheriff and again no later than 7546  
~~seventy two hours~~ five days after the offender or delinquent child 7547  
registers with the sheriff or, if the sheriff is required by 7548  
division (C) to provide the notices, no later than ~~seventy two~~ 7549  
~~hours~~ five days after the sheriff is provided the notice described 7550  
in division (A)(8) of this section. 7551

A sheriff required by division (A) or (C) of this section to 7552  
provide notices regarding an offender or delinquent child shall 7553  
provide the notices to all other specified persons that are 7554  
described in divisions (A)(2) to (7) of this section as soon as 7555  
practicable, but not later than seven days after the offender or 7556  
delinquent child registers with the sheriff or, if the sheriff is 7557  
required by division (C) to provide the notices, no later than 7558  
~~seventy two hours~~ five days after the sheriff is provided the 7559  
notice described in division (A)(8) of this section. 7560

(2) If an offender or delinquent child in relation to whom 7561  
division (A) of this section applies verifies the offender's or 7562



delinquent child's current residence, school, institution of 7563  
higher education, or place of employment address, as applicable, 7564  
with a sheriff pursuant to section 2950.06 of the Revised Code, 7565  
the sheriff may provide a written notice containing the 7566  
information set forth in division (B) of this section to the 7567  
persons identified in divisions (A)(1) to (9) of this section. If 7568  
a sheriff provides a notice pursuant to this division to the 7569  
sheriff of one or more other counties in accordance with division 7570  
(A)(8) of this section, the sheriff of each of the other counties 7571  
who is provided the notice under division (A)(8) of this section 7572  
may provide, but is not required to provide, a written notice 7573  
containing the information set forth in division (B) of this 7574  
section to the persons identified in divisions (A)(1) to (7) and 7575  
(A)(9) of this section. 7576

(3) A sheriff may provide notice under division (A)(1)(a) or 7577  
(b) of this section, and may provide notice under division 7578  
(A)(1)(c) of this section to a building manager or person 7579  
authorized to exercise management and control of a building, by 7580  
mail, by personal contact, or by leaving the notice at or under 7581  
the entry door to a residential unit. For purposes of divisions 7582  
(A)(1)(a) and (b) of this section, and the portion of division 7583  
(A)(1)(c) of this section relating to the provision of notice to 7584  
occupants of a multi-unit building by mail or personal contact, 7585  
the provision of one written notice per unit is deemed as 7586  
providing notice to all occupants of that unit. 7587

(E) All information that a sheriff possesses regarding a 7588  
sexual predator ~~or~~, a habitual sex offender, a child-victim 7589  
predator, or a habitual child-victim offender that is described in 7590  
division (B) of this section and that must be provided in a notice 7591  
required under division (A) or (C) of this section or that may be 7592  
provided in a notice authorized under division (D)(2) of this 7593  
section is a public record that is open to inspection under 7594

section 149.43 of the Revised Code. 7595

~~If the sexual predator or habitual sex offender is a juvenile sex offender registrant, the~~ The sheriff shall not cause ~~any of the information described in this division~~ to be publicly disseminated by means of the internet any of the information described in this division that is provided by a sexual predator, habitual sex offender, child-victim predator, or habitual child-victim offender who is a juvenile offender registrant, except when the act that is the basis of a the 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. 7596  
7597  
7598  
7599  
7600  
7601  
7602  
7603  
7604  
7605  
7606  
7607  
7608  
7609

(F)(1) The duties to provide the notices described in divisions (A) and (C) of this section apply regarding any offender or delinquent child who is in any of the following categories, if the other criteria set forth in division (A) or (C) of this section, whichever is applicable, are satisfied: 7610  
7611  
7612  
7613  
7614

(a) The offender or delinquent child has been adjudicated a sexual predator relative to the sexually oriented offense for which the offender or delinquent child has the duty to register under section 2950.04 of the Revised Code or has been adjudicated a child-victim predator relative to the child-victim oriented offense for which the offender or child has the duty to register under section 2950.041 of the Revised Code, 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 regarding a delinquent child that the offender or delinquent child no longer is a sexual predator or no longer is a child-victim predator, whichever is applicable. 7615  
7616  
7617  
7618  
7619  
7620  
7621  
7622  
7623  
7624  
7625  
7626

(b) The offender or delinquent child has been determined 7627  
pursuant to division (C)(2) or (E) of section 2950.09 or 2950.091, 7628  
division (B) of section 2152.83, section 2152.84, or section 7629  
2152.85 of the Revised Code to be a habitual sex offender or a 7630  
habitual child-victim offender, the court has imposed a 7631  
requirement under that division or section subjecting the habitual 7632  
sex offender or habitual child-victim offender to this section, 7633  
and the determination has not been removed pursuant to section 7634  
2152.84 or 2152.85 of the Revised Code regarding a delinquent 7635  
child. 7636

(c) The sexually oriented offense for which the offender has 7637  
the duty to register under section 2950.04 of the Revised Code is 7638  
an aggravated sexually oriented offense ~~committed on or after the~~ 7639  
~~effective date of this amendment~~, regardless of whether the 7640  
offender has been adjudicated a sexual predator relative to the 7641  
offense or has been determined to be a habitual sex offender ~~and,~~ 7642  
~~if the offender has been so adjudicated or determined, regardless~~ 7643  
~~of whether the court has subsequently determined that the offender~~ 7644  
~~no longer is a sexual predator or whether the habitual sex~~ 7645  
~~offender determination has not been removed as described in~~ 7646  
~~division (F)(1)(a) or (b) of this section.~~ 7647

(2) The notification provisions of this section do not apply 7648  
regarding a person who is convicted of or pleads guilty to, has 7649  
been convicted of or pleaded guilty to, or is adjudicated a 7650  
delinquent child for committing, a sexually oriented offense or a 7651  
child-victim oriented offense, who is not in the category 7652  
specified in either division (F)(1)(a) or (c) of this section, and 7653  
who is determined pursuant to division (C)(2) or (E) of section 7654  
2950.09 or 2950.091, division (B) of section 2152.83, section 7655  
2152.84, or section 2152.85 of the Revised Code to be a habitual 7656  
sex offender or habitual child-victim offender unless the 7657  
sentencing or reviewing court imposes a requirement in the 7658

offender's sentence and in the judgment of conviction that 7659  
contains the sentence or in the delinquent child's adjudication, 7660  
or imposes a requirement as described in division (C)(2) of 7661  
section 2950.09 or 2950.091 of the Revised Code, that subjects the 7662  
offender or the delinquent child to the provisions of this 7663  
section. 7664

(G) The department of job and family services shall compile, 7665  
maintain, and update in January and July of each year, a list of 7666  
all agencies, centers, or homes of a type described in division 7667  
(A)(2) or (6) of this section that contains the name of each 7668  
agency, center, or home of that type, the county in which it is 7669  
located, its address and telephone number, and the name of an 7670  
administrative officer or employee of the agency, center, or home. 7671  
The department of education shall compile, maintain, and update in 7672  
January and July of each year, a list of all boards of education, 7673  
schools, or programs of a type described in division (A)(3), (4), 7674  
or (5) of this section that contains the name of each board of 7675  
education, school, or program of that type, the county in which it 7676  
is located, its address and telephone number, the name of the 7677  
superintendent of the board or of an administrative officer or 7678  
employee of the school or program, and, in relation to a board of 7679  
education, the county or counties in which each of its schools is 7680  
located and the address of each such school. The Ohio board of 7681  
regents shall compile, maintain, and update in January and July of 7682  
each year, a list of all institutions of a type described in 7683  
division (A)(7) of this section that contains the name of each 7684  
such institution, the county in which it is located, its address 7685  
and telephone number, and the name of its president or other chief 7686  
administrative officer. A sheriff required by division (A) or (C) 7687  
of this section, or authorized by division (D)(2) of this section, 7688  
to provide notices regarding an offender or delinquent child, or a 7689  
designee of a sheriff of that type, may request the department of 7690  
job and family services, department of education, or Ohio board of 7691

regents, by telephone, in person, or by mail, to provide the 7692  
sheriff or designee with the names, addresses, and telephone 7693  
numbers of the appropriate persons and entities to whom the 7694  
notices described in divisions (A)(2) to (7) of this section are 7695  
to be provided. Upon receipt of a request, the department or board 7696  
shall provide the requesting sheriff or designee with the names, 7697  
addresses, and telephone numbers of the appropriate persons and 7698  
entities to whom those notices are to be provided. 7699

(H)(1) Upon the motion of the offender or the prosecuting 7700  
attorney of the county in which the offender was convicted of or 7701  
pleaded guilty to the sexually oriented offense or child-victim 7702  
oriented offense for which the offender is subject to community 7703  
notification under this section, or upon the motion of the 7704  
sentencing judge or that judge's successor in office, the judge 7705  
may schedule a hearing to determine whether the interests of 7706  
justice would be served by suspending the community notification 7707  
requirement under this section in relation to the offender. The 7708  
judge may dismiss the motion without a hearing but may not issue 7709  
an order suspending the community notification requirement without 7710  
a hearing. At the hearing, all parties are entitled to be heard, 7711  
and the judge shall consider all of the factors set forth in 7712  
division (B)(3) of section 2950.09 of the Revised Code. If, at the 7713  
conclusion of the hearing, the judge finds that the offender has 7714  
proven by clear and convincing evidence that the offender is 7715  
unlikely to commit in the future a sexually oriented offense or a 7716  
child-victim oriented offense and if the judge finds that 7717  
suspending the community notification requirement is in the 7718  
interests of justice, the judge may suspend the application of 7719  
this section in relation to the offender. The order shall contain 7720  
both of these findings. 7721

The judge promptly shall serve a copy of the order upon the 7722  
sheriff with whom the offender most recently registered under 7723

section 2950.04, 2950.041, or 2950.05 of the Revised Code and upon 7724  
the bureau of criminal identification and investigation. 7725

An order suspending the community notification requirement 7726  
does not suspend or otherwise alter an offender's duties to comply 7727  
with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the 7728  
Revised Code and does not suspend the victim notification 7729  
requirement under section 2950.10 of the Revised Code. 7730

(2) A prosecuting attorney, a sentencing judge or that 7731  
judge's successor in office, and an offender who is subject to the 7732  
community notification requirement under this section may 7733  
initially make a motion under division (H)(1) of this section upon 7734  
the expiration of twenty years after the offender's duty to comply 7735  
with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the 7736  
Revised Code begins in relation to the offense for which the 7737  
offender is subject to community notification. After the initial 7738  
making of a motion under division (H)(1) of this section, 7739  
thereafter, the prosecutor, judge, and offender may make a 7740  
subsequent motion under that division upon the expiration of five 7741  
years after the judge has entered an order denying the initial 7742  
motion or the most recent motion made under that division. 7743

(3) The offender and the prosecuting attorney have the right 7744  
to appeal an order approving or denying a motion made under 7745  
division (H)(1) of this section. 7746

(4) Division (H) of this section does not apply to any of the 7747  
following types of offender: 7748

(a) A sexually violent predator; 7749

(b) A habitual sex offender or habitual child-victim oriented 7750  
offender who is subject to community notification who, subsequent 7751  
to being subjected to community notification, has pleaded guilty 7752  
to or been convicted of a sexually oriented offense or a 7753  
child-victim oriented offense; 7754

(c) A sexual predator or child-victim predator who is not a sexually violent predator who, subsequent to being subjected to community notification, has pleaded guilty to or been convicted of a sexually oriented offense or child-victim oriented offense. 7755  
7756  
7757  
7758

**Sec. 2950.111.** (A) If an offender or delinquent child registers a residence address, provides notice of a change of any residence address, or verifies a current residence address pursuant to section 2950.04, 2950.041, 2950.05, or 2950.06 of the Revised Code, all of the following apply: 7759  
7760  
7761  
7762  
7763

(1) At any time after the registration, provision of the notice, or verification, the sheriff with whom the offender or delinquent child so registered or to whom the offender or delinquent child so provided the notice or verified the current address, or a designee of that sheriff, may contact a person who owns, leases, or otherwise has custody, control, or supervision of the premises at the address provided by the offender or delinquent child in the registration, the notice, or the verification and request that the person confirm or deny that the offender or delinquent child currently resides at that address. 7764  
7765  
7766  
7767  
7768  
7769  
7770  
7771  
7772  
7773

(2) Upon receipt of a request under division (A)(1) of this section, notwithstanding any other provision of law, the person who owns, leases, or otherwise has custody, control, or supervision of the premises, or an agent of that person, shall comply with the request and inform the sheriff or designee who made the request whether or not the offender or delinquent child currently resides at that address. 7774  
7775  
7776  
7777  
7778  
7779  
7780

(3) Section 2950.12 of the Revised Code applies to a person who, in accordance with division (A)(2) of this section, provides information of the type described in that division. 7781  
7782  
7783

(B) Division (A) of this section applies regarding any public 7784

or private residential premises, including, but not limited to, a 7785  
private residence, a multi-unit residential facility, a halfway 7786  
house, a homeless shelter, or any other type of residential 7787  
premises. Division (A) of this section does not apply regarding an 7788  
offender's registration, provision of notice of a change in, or 7789  
verification of a school, institution of higher education, or 7790  
place of employment address pursuant to section 2950.04, 2950.041, 7791  
2950.05, or 2950.06 of the Revised Code. 7792

(C) A sheriff or designee of a sheriff may attempt to confirm 7793  
that an offender or delinquent child who registers a residence 7794  
address, provides notice of a change of any residence address, or 7795  
verifies a current residence address as described in division (A) 7796  
of this section currently resides at the address in question in 7797  
manners other than the manner provided in this section. A sheriff 7798  
or designee of a sheriff is not limited in the number of requests 7799  
that may be made under this section regarding any registration, 7800  
provision of notice, or verification, or in the number of times 7801  
that the sheriff or designee may attempt to confirm, in manners 7802  
other than the manner provided in this section, that an offender 7803  
or delinquent child currently resides at the address in question. 7804

**Sec. 2950.12.** (A) Except as provided in division (B) of this 7805  
section, any of the following persons shall be immune from 7806  
liability in a civil action to recover damages for injury, death, 7807  
or loss to person or property allegedly caused by an act or 7808  
omission in connection with a power, duty, responsibility, or 7809  
authorization under this chapter or under rules adopted under 7810  
authority of this chapter: 7811

(1) An officer or employee of the bureau of criminal 7812  
identification and investigation; 7813

(2) The attorney general, a chief of police, marshal, or 7814  
other chief law enforcement officer of a municipal corporation, a 7815



sheriff, a constable or chief of police of a township police 7816  
department or police district police force, and a deputy, officer, 7817  
or employee of the office of the attorney general, the law 7818  
enforcement agency served by the marshal or the municipal or 7819  
township chief, the office of the sheriff, or the constable; 7820

(3) A prosecutor and an officer or employee of the office of 7821  
a prosecutor; 7822

(4) A supervising officer and an officer or employee of the 7823  
adult parole authority of the department of rehabilitation and 7824  
correction; 7825

(5) A supervising officer and an officer or employee of the 7826  
department of youth services; 7827

(6) A supervisor and a caseworker or employee of a public 7828  
children services agency acting pursuant to section 5153.16 of the 7829  
Revised Code; 7830

(7) A managing officer of a state correctional institution 7831  
and an officer or employee of the department of rehabilitation and 7832  
correction; 7833

(8) A person identified in division (A)(2), (3), (4), (5), 7834  
(6), or (7) of section 2950.11 of the Revised Code or the agent of 7835  
that person; 7836

(9) A person identified in division (A)(2) of section 7837  
2950.111 of the Revised Code, regarding the person's provision of 7838  
information pursuant to that division to a sheriff or a designee 7839  
of a sheriff. 7840

(B) The immunity described in division (A) of this section 7841  
does not apply to a person described in divisions (A)(1) to (8) of 7842  
this section if, in relation to the act or omission in question, 7843  
any of the following applies: 7844

(1) The act or omission was manifestly outside the scope of 7845

the person's employment or official responsibilities. 7846

(2) The act or omission was with malicious purpose, in bad 7847  
faith, or in a wanton or reckless manner. 7848

(3) Liability for the act or omission is expressly imposed by 7849  
a section of the Revised Code. 7850

**Sec. 2950.13.** (A) The attorney general shall do all of the 7851  
following: 7852

(1) No later than July 1, 1997, establish and maintain a 7853  
state registry of sex offenders and child-victim offenders that is 7854  
housed at the bureau of criminal identification and investigation 7855  
and that contains all of the registration, change of residence, 7856  
school, institution of higher education, or place of employment 7857  
address, and verification information the bureau receives pursuant 7858  
to sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised 7859  
Code regarding a person who is convicted of or pleads guilty to, 7860  
or has been convicted of or pleaded guilty to, either a sexually 7861  
oriented offense that is not a registration-exempt sexually 7862  
oriented offense or a child-victim oriented offense or a person 7863  
who is adjudicated a delinquent child for committing either a 7864  
sexually oriented offense that is not a registration-exempt 7865  
sexually oriented offense or a child-victim oriented offense and 7866  
is classified a juvenile ~~sex~~ offender registrant or is an 7867  
out-of-state juvenile ~~sex~~ offender registrant based on that 7868  
adjudication, and all of the information the bureau receives 7869  
pursuant to section 2950.14 of the Revised Code~~+~~. For a person who 7870  
was convicted of or pleaded guilty to the sexually oriented 7871  
offense or child-victim related offense, the registry also shall 7872  
indicate whether the person was convicted of or pleaded guilty to 7873  
the offense in a criminal prosecution or in a serious youthful 7874  
offender case. 7875

(2) In consultation with local law enforcement 7876

representatives and no later than July 1, 1997, adopt rules that 7877  
contain guidelines necessary for the implementation of this 7878  
chapter; 7879

(3) In consultation with local law enforcement 7880  
representatives ~~and no later than July 1, 1997,~~ adopt rules for 7881  
the implementation and administration of the provisions contained 7882  
in section 2950.11 of the Revised Code that pertain to the 7883  
notification of neighbors of an offender or a delinquent child who 7884  
has committed a sexually oriented offense that is not a 7885  
registration-exempt sexually oriented offense and has been 7886  
adjudicated ~~as being~~ a sexual predator or determined to be a 7887  
habitual sex offender ~~or,~~ an offender who has committed ~~on or~~ 7888  
~~after the effective date of this amendment~~ an aggravated sexually 7889  
oriented offense, or an offender or delinquent child who has 7890  
committed a child-victim oriented offense and has been adjudicated 7891  
a child-victim predator or determined to be a habitual 7892  
child-victim offender, and rules that prescribe a manner in which 7893  
victims of either a sexually oriented offense that is not a 7894  
registration-exempt sexually oriented offense or a child-victim 7895  
oriented offense committed by an offender or a delinquent child 7896  
who has been adjudicated ~~as being~~ a sexual predator or determined 7897  
to be a habitual sex offender ~~or,~~ an offender who has committed ~~on~~ 7898  
~~or after the effective date of this amendment~~ an aggravated 7899  
sexually oriented offense, or an offender or delinquent child who 7900  
has committed a child-victim oriented offense and has been 7901  
adjudicated a child-victim predator or determined to be a habitual 7902  
child-victim offender may make a request that specifies that the 7903  
victim would like to be provided the notices described in 7904  
divisions (A)(1) and (2) of section 2950.10 of the Revised Code; 7905

(4) In consultation with local law enforcement 7906  
representatives and through the bureau of criminal identification 7907  
and investigation, prescribe the forms to be used by judges and 7908

officials pursuant to section 2950.03 of the Revised Code to 7909  
advise offenders and delinquent children of their duties of filing 7910  
a notice of intent to reside, registration, notification of a 7911  
change of residence, school, institution of higher education, or 7912  
place of employment address and registration of the new ~~residence~~, 7913  
school, institution of higher education, or place of employment 7914  
address, as applicable, and ~~residence~~ address verification under 7915  
sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised 7916  
Code, and prescribe the forms to be used by sheriffs relative to 7917  
those duties of filing a notice of intent to reside, registration, 7918  
change of residence, school, institution of higher education, or 7919  
place of employment address notification, and ~~residence~~ address 7920  
verification; 7921

(5) Make copies of the forms prescribed under division (A)(4) 7922  
of this section available to judges, officials, and sheriffs; 7923

(6) Through the bureau of criminal identification and 7924  
investigation, provide the notifications, the information, and the 7925  
documents that the bureau is required to provide to appropriate 7926  
law enforcement officials and to the federal bureau of 7927  
investigation pursuant to sections 2950.04, 2950.041, 2950.05, and 7928  
2950.06 of the Revised Code; 7929

(7) Through the bureau of criminal identification and 7930  
investigation, maintain the verification forms returned under the 7931  
~~residence~~ address verification mechanism set forth in section 7932  
2950.06 of the Revised Code; 7933

(8) In consultation with representatives of the officials, 7934  
judges, and sheriffs, adopt procedures for officials, judges, and 7935  
sheriffs to use to forward information, photographs, and 7936  
fingerprints to the bureau of criminal identification and 7937  
investigation pursuant to the requirements of sections 2950.03, 7938  
2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code; 7939

(9) In consultation with the director of education, the 7940  
director of job and family services, and the director of 7941  
rehabilitation and correction ~~and no later than July 1, 1997,~~ 7942  
adopt rules that contain guidelines to be followed by boards of 7943  
education of a school district, chartered nonpublic schools or 7944  
other schools not operated by a board of education, preschool 7945  
programs, child day-care centers, type A family day-care homes, 7946  
certified type B family day-care homes, and institutions of higher 7947  
education regarding the proper use and administration of 7948  
information received pursuant to section 2950.11 of the Revised 7949  
Code relative to an offender or delinquent child who has been 7950  
adjudicated ~~as being~~ a sexual predator or child-victim predator or 7951  
determined to be a habitual sex offender or habitual child-victim 7952  
offender, or an offender who has committed an aggravated sexually 7953  
oriented offense; 7954

(10) In consultation with local law enforcement 7955  
representatives and no later than July 1, 1997, adopt rules that 7956  
designate a geographic area or areas within which the notice 7957  
described in division (B) of section 2950.11 of the Revised Code 7958  
must be given to the persons identified in divisions (A)(2) to (8) 7959  
of that section; 7960

(11) Through the bureau of criminal identification and 7961  
investigation, not later than January 1, 2004, establish and 7962  
operate on the internet a sex offender and child-victim offender 7963  
database that contains information for every offender who has 7964  
committed either a sexually oriented offense that is not a 7965  
registration-exempt sexually oriented offense or a child-victim 7966  
oriented offense and who registers in any county in this state 7967  
pursuant to section 2950.04 or 2950.041 of the Revised Code. The 7968  
bureau shall determine the information to be provided on the 7969  
database for each offender and shall obtain that information from 7970  
the information contained in the state registry of sex offenders 7971

and child-victim offenders described in division (A)(1) of this 7972  
section, which information, while in the possession of the sheriff 7973  
who provided it, is a public record open for inspection as 7974  
described in section 2950.081 of the Revised Code. The information 7975  
provided for each offender shall include at least the information 7976  
set forth in division (B) of section 2950.11 of the Revised Code. 7977  
The database is a public record open for inspection under section 7978  
149.43 of the Revised Code, and it shall be searchable by offender 7979  
name, by county, by zip code, and by school district. The database 7980  
shall provide a link to the web site of each sheriff who has 7981  
established and operates on the internet a sex offender and 7982  
child-victim offender database that contains information for 7983  
offenders who register in that county pursuant to section 2950.04 7984  
or 2950.041 of the Revised Code, with the link being a direct link 7985  
to the sex offender and child-victim offender database for the 7986  
sheriff. 7987

(12) Upon the request of any sheriff, provide technical 7988  
guidance to the requesting sheriff in establishing on the internet 7989  
a sex offender and child-victim offender database for the public 7990  
dissemination of some or all of the materials described in 7991  
division (A) of section 2950.081 of the Revised Code that are 7992  
public records under that division and that pertain to offenders 7993  
who register in that county pursuant to section 2950.04 or 7994  
2950.041 of the Revised Code; 7995

(13) Through the bureau of criminal identification and 7996  
investigation, not later than January 1, 2004, establish and 7997  
operate on the internet a database that enables local law 7998  
enforcement representatives to remotely search by electronic means 7999  
the state registry of sex offenders and child-victim offenders 8000  
described in division (A)(1) of this section and any information 8001  
the bureau receives pursuant to sections 2950.04, 2950.041, 8002  
2950.05, 2950.06, and 2950.14 of the Revised Code. The database 8003

shall enable local law enforcement representatives to obtain 8004  
detailed information regarding each offender and delinquent child 8005  
who is included in the registry, including, but not limited to the 8006  
offender's or delinquent child's name, residence address, place of 8007  
employment if applicable, motor vehicle license plate number if 8008  
applicable, victim preference if available, date of most recent 8009  
release from confinement if applicable, fingerprints, and other 8010  
identification parameters the bureau considers appropriate. The 8011  
database is not a public record open for inspection under section 8012  
149.43 of the Revised Code and shall be available only to law 8013  
enforcement representatives as described in this division. 8014  
Information obtained by local law enforcement representatives 8015  
through use of this database is not open to inspection by the 8016  
public or by any person other than a person identified in division 8017  
(A) of section 2950.08 of the Revised Code. 8018

(B) The attorney general~~7~~, in consultation with local law 8019  
enforcement representatives, may adopt rules that establish one or 8020  
more categories of neighbors of an offender or delinquent child 8021  
who, in addition to the occupants of ~~residences adjacent to an~~ 8022  
~~offender's or delinquent child's place of residence~~ residential 8023  
premises and other persons specified in division (A)(1) of section 8024  
2950.11 of the Revised Code, must be given the notice described in 8025  
division (B) of that ~~section 2950.11 of the Revised Code~~. 8026

(C) No person, other than a local law enforcement 8027  
representative, shall knowingly do any of the following: 8028

(1) Gain or attempt to gain access to the database 8029  
established and operated by the attorney general, through the 8030  
bureau of criminal identification and investigation, pursuant to 8031  
division (A)(13) of this section. 8032

(2) Permit any person to inspect any information obtained 8033  
through use of the database described in division (C)(1) of this 8034  
section, other than as permitted under that division. 8035

(D) 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 that is not a registration-exempt sexually oriented offense or any child-victim oriented offense, the department of rehabilitation and correction shall provide all of the 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 who has been adjudicated a delinquent child for committing on or after January 1, 2002, a any sexually oriented offense that is not a registration-exempt sexually oriented offense or any child-victim oriented offense, and who has been classified a juvenile ~~sex~~ offender registrant based on that adjudication, 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 in division (A) of this section:

(1) The offender's or delinquent child's name and any aliases



used by the offender or delinquent child; 8067

(2) All identifying factors concerning the offender or 8068  
delinquent child; 8069

(3) The offender's or delinquent child's anticipated future 8070  
residence; 8071

(4) The offense and delinquency history of the offender or 8072  
delinquent child; 8073

(5) Whether the offender or delinquent child was treated for 8074  
a mental abnormality or personality disorder while under the 8075  
custody and control of the department; 8076

(6) Any other information that the bureau indicates is 8077  
relevant and that the department possesses. 8078

(C) Upon receipt of the information described in division (B) 8079  
of this section regarding an offender or delinquent child, the 8080  
bureau immediately shall enter the information into the state 8081  
registry of sex offenders and child-victim offenders that the 8082  
bureau maintains pursuant to section 2950.13 of the Revised Code 8083  
and into the records that the bureau maintains pursuant to 8084  
division (A) of section 109.57 of the Revised Code. 8085

**Sec. 2950.99.** (A) ~~Whoever (1)(a) Except as otherwise provided~~ 8086  
in division (A)(1)(b) of this section, whoever violates a 8087  
prohibition in section 2950.04, 2950.041, 2950.05, or 2950.06 of 8088  
the Revised Code ~~is guilty of a felony of the fifth degree if~~ 8089  
shall be punished as follows: 8090

(i) If the most serious sexually oriented offense or 8091  
child-victim oriented offense that was the basis of the 8092  
registration, notice of intent to reside, change of address 8093  
notification, or address verification requirement that was 8094  
violated under the prohibition is aggravated murder, murder, or a 8095  
felony of the first, second, or third degree if committed by an 8096

adult, the offender is guilty of a felony of the third degree. 8097

(ii) If the most serious sexually oriented offense or 8098  
child-victim oriented offense that was the basis of the 8099  
registration, notice of intent to reside, change of address 8100  
notification, or address verification requirement that was 8101  
violated under the prohibition is a felony of the fourth or fifth 8102  
degree if committed by an adult, ~~and a misdemeanor of the first~~ 8103  
~~degree,~~ or if the most serious sexually oriented offense or 8104  
child-victim oriented offense that was the basis of the 8105  
registration, notice of intent to reside, change of address 8106  
notification, or address verification requirement that was 8107  
violated under the prohibition is a misdemeanor if committed by an 8108  
adult. ~~In,~~ the offender is guilty of a felony of the same degree 8109  
or a misdemeanor of the same degree as the most serious sexually 8110  
oriented offense or child-victim oriented offense that was the 8111  
basis of the registration, notice of intent to reside, change of 8112  
address, or address verification requirement that was violated 8113  
under the prohibition. 8114

(b) If the offender previously has been convicted of or 8115  
pleaded guilty to, or previously has been adjudicated a delinquent 8116  
child for committing, a violation of a prohibition in section 8117  
2950.04, 2950.041, 2950.05, or 2950.06 of the Revised Code, 8118  
whoever violates a prohibition in section 2950.04, 2950.041, 8119  
2950.05, or 2950.06 of the Revised Code shall be punished as 8120  
follows: 8121

(i) If the most serious sexually oriented offense or 8122  
child-victim oriented offense that was the basis of the 8123  
registration, notice of intent to reside, change of address 8124  
notification, or address verification requirement that was 8125  
violated under the prohibition is aggravated murder, murder, or a 8126  
felony of the first, second, third, or fourth degree if committed 8127  
by an adult, the offender is guilty of a felony of the third 8128

degree. 8129

(ii) If the most serious sexually oriented offense or 8130  
child-victim oriented offense that was the basis of the 8131  
registration, notice of intent to reside, change of address 8132  
notification, or address verification requirement that was 8133  
violated under the prohibition is a felony of the fifth degree if 8134  
committed by an adult, the offender is guilty of a felony of the 8135  
fourth degree. 8136

(iii) If the most serious sexually oriented offense or 8137  
child-victim oriented offense that was the basis of the 8138  
registration, notice of intent to reside, change of address 8139  
notification, or address verification requirement that was 8140  
violated under the prohibition is a misdemeanor of the first 8141  
degree if committed by an adult, the offender is guilty of a 8142  
felony of the fifth degree. 8143

(iv) If the most serious sexually oriented offense or 8144  
child-victim oriented offense that was the basis of the 8145  
registration, notice of intent to reside, change of address 8146  
notification, or address verification requirement that was 8147  
violated under the prohibition is a misdemeanor other than a 8148  
misdemeanor of the first degree if committed by an adult, the 8149  
offender is guilty of a misdemeanor that is one degree higher than 8150  
the most serious sexually oriented offense or child-victim 8151  
oriented offense that was the basis of the registration, change of 8152  
address, or address verification requirement that was violated 8153  
under the prohibition. 8154

(2) In addition to any penalty or sanction imposed under 8155  
division (A)(1) of this section or any other provision of law for 8156  
the a violation of a prohibition in section 2950.04, 2950.041, 8157  
2950.05, or 2950.06 of the Revised Code, if the offender or 8158  
delinquent child is on probation or parole, is subject to one or 8159  
more post-release control sanctions, or is subject to any other 8160

type of supervised release at the time of the violation, the 8161  
violation shall constitute a violation of the terms and conditions 8162  
of the probation, parole, post-release control sanction, or other 8163  
type of supervised release. 8164

(B) If a person violates a prohibition in section 2950.04, 8165  
2950.041, 2950.05, or 2950.06 of the Revised Code that applies to 8166  
the person as a result of the person being adjudicated a 8167  
delinquent child and being classified a juvenile ~~sex~~ offender 8168  
registrant or ~~is~~ as an out-of-state juvenile ~~sex~~ offender 8169  
registrant, both of the following apply: 8170

(1) If the violation occurs while the person is under 8171  
eighteen years of age, the person is subject to proceedings under 8172  
Chapter 2152. of the Revised Code based on the violation. 8173

(2) If the violation occurs while the person is eighteen 8174  
years of age or older, the person is subject to criminal 8175  
prosecution based on the violation. 8176

(C) Whoever violates division (C) of section 2950.13 of the 8177  
Revised Code is guilty of a misdemeanor of the first degree. 8178

**Sec. 2971.01.** As used in this chapter: 8179

(A) "Mandatory prison term" has the same meaning as in 8180  
section 2929.01 of the Revised Code. 8181

(B) "Designated homicide, assault, or kidnapping offense" 8182  
means any of the following: 8183

(1) A violation of section 2903.01, 2903.02, 2903.11, or 8184  
2905.01 of the Revised Code or a violation of division (A) of 8185  
section 2903.04 of the Revised Code; 8186

(2) An attempt to commit or complicity in committing a 8187  
violation listed in division (B)(1) of this section, if the 8188  
attempt or complicity is a felony. 8189

(C) "Examiner" has the same meaning as in section 2945.371 of the Revised Code. 8190  
8191

(D) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code. 8192  
8193

(E) "Prosecuting attorney" means the prosecuting attorney who prosecuted the case of the offender in question or the successor in office to that prosecuting attorney. 8194  
8195  
8196

(F) "Sexually oriented offense" ~~has~~ and "child-victim oriented offense" have the same ~~meaning~~ meanings as in section 2950.01 of the Revised Code. 8197  
8198  
8199

(G) "Sexually violent offense" means a violent sex offense, or a designated homicide, assault, or kidnapping offense for which the offender also was convicted of or pleaded guilty to a sexual motivation specification. 8200  
8201  
8202  
8203

(H)(1) "Sexually violent predator" means a person who has been convicted of or pleaded guilty to committing, on or after ~~the effective date of this section~~ January 1, 1997, a sexually violent offense and is likely to engage in the future in one or more sexually violent offenses. 8204  
8205  
8206  
8207  
8208

(2) For purposes of division (H)(1) of this section, any of the following factors may be considered as evidence tending to indicate that there is a likelihood that the person will engage in the future in one or more sexually violent offenses: 8209  
8210  
8211  
8212

(a) The person has been convicted two or more times, in separate criminal actions, of a sexually oriented offense or a child-victim oriented offense. For purposes of this division, convictions that result from or are connected with the same act or result from offenses committed at the same time are one conviction, and a conviction set aside pursuant to law is not a conviction. 8213  
8214  
8215  
8216  
8217  
8218  
8219

(b) The person has a documented history from childhood, into the juvenile developmental years, that exhibits sexually deviant behavior.

(c) Available information or evidence suggests that the person chronically commits offenses with a sexual motivation.

(d) The person has committed one or more offenses in which the person has tortured or engaged in ritualistic acts with one or more victims.

(e) The person has committed one or more offenses in which one or more victims were physically harmed to the degree that the particular victim's life was in jeopardy.

(f) Any other relevant evidence.

(I) "Sexually violent predator specification" means a specification, as described in section 2941.148 of the Revised Code, charging a person with being a sexually violent predator.

(J) "Sexual motivation" means a purpose to gratify the sexual needs or desires of the offender.

(K) "Sexual motivation specification" means a specification, as described in section 2941.147 of the Revised Code, that charges that a person charged with a designated homicide, assault, or kidnapping offense committed the offense with a sexual motivation.

(L) "Violent sex offense" means any of the following:

(1) A violation of section 2907.02, 2907.03, or 2907.12 or of division (A)(4) of section 2907.05 of the Revised Code;

(2) A felony violation of a former law of this state that is substantially equivalent to a violation listed in division (L)(1) of this section or of an existing or former law of the United States or of another state that is substantially equivalent to a violation listed in division (L)(1) of this section;

(3) An attempt to commit or complicity in committing a 8249  
violation listed in division (L)(1) or (2) of this section if the 8250  
attempt or complicity is a felony. 8251

**Sec. 3319.20.** Whenever an employee of a board of education, 8252  
other than an employee who is a license holder to whom section 8253  
3319.52 of the Revised Code applies, is convicted of or pleads 8254  
guilty to a felony, a violation of section 2907.04 or 2907.06 or 8255  
of division (A) or ~~(C)~~(B) of section 2907.07 of the Revised Code, 8256  
an offense of violence, theft offense, or drug abuse offense that 8257  
is not a minor misdemeanor, or a violation of an ordinance of a 8258  
municipal corporation that is substantively comparable to a felony 8259  
or to a violation or offense of that nature, the prosecutor in the 8260  
case, on forms prescribed and furnished by the state board of 8261  
education, shall notify the employing board of education of the 8262  
employee's name and residence address, the fact that the employee 8263  
was convicted of or pleaded guilty to the specified offense, the 8264  
section of the Revised Code or the municipal ordinance violated, 8265  
and the sentence imposed by the court. 8266

The prosecutor shall give the notification required by this 8267  
section no earlier than the fifth day following the expiration of 8268  
the period within which the employee may file a notice of appeal 8269  
from the judgment of the trial court under Appellate Rule 4(B) and 8270  
no later than the eighth day following the expiration of that 8271  
period. The notification also shall indicate whether the employee 8272  
appealed the conviction, and, if applicable, the court in which 8273  
the appeal will be heard. If the employee is permitted, by leave 8274  
of court pursuant to Appellate Rule 5, to appeal the judgment of 8275  
the trial court subsequent to the expiration of the period for 8276  
filing a notice of appeal under Appellate Rule 4(B), the 8277  
prosecutor promptly shall notify the employing board of education 8278  
of the appeal and the court in which the appeal will be heard. 8279

As used in this section, "theft offense" has the same meaning 8280  
as in section 2913.01 of the Revised Code, "drug abuse offense" 8281  
has the same meaning as in section 2925.01 of the Revised Code, 8282  
and "prosecutor" has the same meaning as in section 2935.01 of the 8283  
Revised Code. 8284

**Sec. 3319.31.** (A) As used in this section and sections 8285  
3123.41 to 3123.50 and 3319.311 of the Revised Code, "license" 8286  
means a certificate, license, or permit described in division (B) 8287  
of section 3301.071 or in section 3301.074, 3319.088, 3319.29, or 8288  
3319.302 of the Revised Code. 8289

(B) For any of the following reasons, the state board of 8290  
education, in accordance with Chapter 119. and section 3319.311 of 8291  
the Revised Code, may refuse to issue a license to an applicant, 8292  
may limit a license it issues to an applicant, or may suspend, 8293  
revoke, or limit a license that has been issued to any person: 8294

(1) Engaging in an immoral act, incompetence, negligence, or 8295  
conduct that is unbecoming to the applicant's or person's 8296  
position; 8297

(2) A plea of guilty to, a finding of guilt by a jury or 8298  
court of, or a conviction of any of the following: 8299

(a) A felony; 8300

(b) A violation of section 2907.04 or 2907.06 or division (A) 8301  
or ~~(C)~~(B) of section 2907.07 of the Revised Code; 8302

(c) An offense of violence; 8303

(d) A theft offense, as defined in section 2913.01 of the 8304  
Revised Code; 8305

(e) A drug abuse offense, as defined in section 2925.01 of 8306  
the Revised Code, that is not a minor misdemeanor; 8307

(f) A violation of an ordinance of a municipal corporation 8308



that is substantively comparable to an offense listed in divisions 8309  
(B)(2)(a) to (e) of this section. 8310

(C) The state board may take action under division (B) of 8311  
this section on the basis of substantially comparable conduct 8312  
occurring in a jurisdiction outside this state or occurring before 8313  
a person applies for or receives any license. 8314

(D) The state board may adopt rules in accordance with 8315  
Chapter 119. of the Revised Code to carry out this section and 8316  
section 3319.311 of the Revised Code. 8317

**Sec. 5139.13.** (A) The department of youth services shall do 8318  
all of the following: 8319

(1) Control and manage all institutions for the 8320  
rehabilitation of delinquent children and youthful offenders that 8321  
are operated by the state, except where the control and management 8322  
of an institution is vested by law in another agency; 8323

(2) Provide treatment and training for children committed to 8324  
the department and assigned by the department to various 8325  
institutions under its control and management, including, but not 8326  
limited to, for a child committed to it for an act that is either 8327  
a sexually oriented offense that is not a registration-exempt 8328  
sexually oriented offense or a child-victim oriented offense, 8329  
treatment that is appropriate for a child who commits an act that 8330  
is a sexually oriented offense that is not a registration-exempt 8331  
sexually oriented offense or child-victim oriented offense and 8332  
that is intended to ensure that the child does not commit any 8333  
subsequent act that is a sexually oriented offense or a 8334  
child-victim oriented offense; 8335

(3) Establish and maintain appropriate reception centers for 8336  
the reception of children committed to the department and employ 8337  
competent persons to have charge of those centers and to conduct 8338

investigations; 8339

(4) Establish and maintain any other facilities necessary for 8340  
the training, treatment, and rehabilitation of children committed 8341  
to the department. 8342

(B) As used in this section, "sexually oriented offense" ~~has~~ 8343  
and "child-victim oriented offense" have the same ~~meaning~~ meanings 8344  
as in section 2950.01 of the Revised Code. 8345

**Sec. 5321.01.** As used in this chapter: 8346

(A) "Tenant" means a person entitled under a rental agreement 8347  
to the use and occupancy of residential premises to the exclusion 8348  
of others. 8349

(B) "Landlord" means the owner, lessor, or sublessor of 8350  
residential premises, the agent of the owner, lessor, or 8351  
sublessor, or any person authorized by the owner, lessor, or 8352  
sublessor to manage the premises or to receive rent from a tenant 8353  
under a rental agreement. 8354

(C) "Residential premises" means a dwelling unit for 8355  
residential use and occupancy and the structure of which it is a 8356  
part, the facilities and appurtenances in it, and the grounds, 8357  
areas, and facilities for the use of tenants generally or the use 8358  
of which is promised the tenant. "Residential premises" includes a 8359  
dwelling unit that is owned or operated by a college or 8360  
university. "Residential premises" does not include any of the 8361  
following: 8362

(1) Prisons, jails, workhouses, and other places of 8363  
incarceration or correction, including, but not limited to, 8364  
halfway houses or residential arrangements which are used or 8365  
occupied as a requirement of probation or parole; 8366

(2) Hospitals and similar institutions with the primary 8367  
purpose of providing medical services, and homes licensed pursuant 8368

to Chapter 3721. of the Revised Code;	8369
(3) Tourist homes, hotels, motels, recreational vehicle parks, recreation camps, combined park-camps, temporary park-camps, and other similar facilities where circumstances indicate a transient occupancy;	8370 8371 8372 8373
(4) Elementary and secondary boarding schools, where the cost of room and board is included as part of the cost of tuition;	8374 8375
(5) Orphanages and similar institutions;	8376
(6) Farm residences furnished in connection with the rental of land of a minimum of two acres for production of agricultural products by one or more of the occupants;	8377 8378 8379
(7) Dwelling units subject to sections 3733.41 to 3733.49 of the Revised Code;	8380 8381
(8) Occupancy by an owner of a condominium unit;	8382
(9) Occupancy in a facility licensed as an SRO facility pursuant to Chapter 3731. of the Revised Code, if the facility is owned or operated by an organization that is exempt from taxation under section 501(c)(3) of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 501, as amended, or by an entity or group of entities in which such an organization has a controlling interest, and if either of the following applies:	8383 8384 8385 8386 8387 8388 8389
(a) The occupancy is for a period of less than sixty days;	8390
(b) The occupancy is for participation in a program operated by the facility, or by a public entity or private charitable organization pursuant to a contract with the facility, to provide either of the following:	8391 8392 8393 8394
(i) Services licensed, certified, registered, or approved by a governmental agency or private accrediting organization for the rehabilitation of mentally ill persons, developmentally disabled persons, adults or juveniles convicted of criminal offenses, or	8395 8396 8397 8398

persons suffering from substance abuse;	8399
(ii) Shelter for juvenile runaways, victims of domestic violence, or homeless persons.	8400 8401
(10) Emergency shelters operated by organizations exempt from federal income taxation under section 501(c)(3) of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 501, as amended, for persons whose circumstances indicate a transient occupancy, including homeless people, victims of domestic violence, and juvenile runaways.	8402 8403 8404 8405 8406 8407
(D) "Rental agreement" means any agreement or lease, written or oral, which establishes or modifies the terms, conditions, rules, or any other provisions concerning the use and occupancy of residential premises by one of the parties.	8408 8409 8410 8411
(E) "Security deposit" means any deposit of money or property to secure performance by the tenant under a rental agreement.	8412 8413
(F) "Dwelling unit" means a structure or the part of a structure that is used as a home, residence, or sleeping place by one person who maintains a household or by two or more persons who maintain a common household.	8414 8415 8416 8417
(G) "Controlled substance" has the same meaning as in section 3719.01 of the Revised Code.	8418 8419
(H) "Student tenant" means a person who occupies a dwelling unit owned or operated by the college or university at which the person is a student, and who has a rental agreement that is contingent upon the person's status as a student.	8420 8421 8422 8423
(I) "Recreational vehicle park," "recreation camp," "combined park-camp," and "temporary park-camp" have the same meanings as in section 3733.01 of the Revised Code.	8424 8425 8426
<u>(J) "School premises" has the same meaning as in section 2925.01 of the Revised Code.</u>	8427 8428

(K) "Sexually oriented offense" and "child-victim oriented offense" have the same meanings as in section 2950.01 of the Revised Code. 8429  
8430  
8431

**Sec. 5321.03.** (A) Notwithstanding section 5321.02 of the Revised Code, a landlord may bring an action under Chapter 1923. of the Revised Code for possession of the premises if: 8432  
8433  
8434

(1) The tenant is in default in the payment of rent; 8435

(2) The violation of the applicable building, housing, health, or safety code that the tenant complained of was primarily caused by any act or lack of reasonable care by the tenant, or by any other person in the tenant's household, or by anyone on the premises with the consent of the tenant; 8436  
8437  
8438  
8439  
8440

(3) Compliance with the applicable building, housing, health, or safety code would require alteration, remodeling, or demolition of the premises which would effectively deprive the tenant of the use of the dwelling unit; 8441  
8442  
8443  
8444

(4) A tenant is holding over ~~his~~ the tenant's term. 8445

(5) The residential premises are located within one thousand feet of any school premises, and both of the following apply regarding the tenant or other occupant who resides in or occupies the premises: 8446  
8447  
8448  
8449

(a) The tenant's or other occupant's name appears on the state registry of sex offenders and child-victim offenders maintained under section 2950.13 of the Revised Code. 8450  
8451  
8452

(b) The state registry of sex offenders and child-victim offenders indicates that the tenant or other occupant was convicted of or pleaded guilty to either a sexually oriented offense that is not a registration-exempt sexually oriented offense or a child-victim oriented offense in a criminal prosecution and was not sentenced to a serious youthful offender 8453  
8454  
8455  
8456  
8457  
8458

dispositional sentence for that offense. 8459

(B) The maintenance of an action by the landlord under this 8460  
section does not prevent the tenant from recovering damages for 8461  
any violation by the landlord of the rental agreement or of 8462  
section 5321.04 of the Revised Code. 8463

(C) This section does not apply to a dwelling unit occupied 8464  
by a student tenant. 8465

**Sec. 5321.051.** (A)(1) No tenant of any residential premises 8466  
located within one thousand feet of any school premises shall 8467  
allow any person to occupy those residential premises if both of 8468  
the following apply regarding the person: 8469

(a) The person's name appears on the state registry of sex 8470  
offenders and child-victim offenders maintained under section 8471  
2950.13 of the Revised Code. 8472

(b) The state registry of sex offenders and child-victim 8473  
offenders indicates that the person was convicted of or pleaded 8474  
guilty to either a sexually oriented offense that is not a 8475  
registration-exempt sexually oriented offense or a child-victim 8476  
oriented offense in a criminal prosecution and was not sentenced 8477  
to a serious youthful offender dispositional sentence for that 8478  
offense. 8479

(2) If a tenant allows occupancy in violation of this section 8480  
or a person establishes a residence or occupies residential 8481  
premises in violation of section 2950.031 of the Revised Code, the 8482  
landlord for the residential premises that are the subject of the 8483  
rental agreement or other tenancy may terminate the rental 8484  
agreement or other tenancy of the tenant and all other occupants. 8485

(B) If a landlord is authorized to terminate a rental 8486  
agreement or other tenancy pursuant to division (A) of this 8487  
section but does not so terminate the rental agreement or other 8488

tenancy, the landlord is not liable in a tort or other civil 8489  
action in damages for any injury, death, or loss to person or 8490  
property that allegedly results from that decision. 8491

**Section 2.** That existing sections 109.42, 109.57, 325.32, 8492  
1923.01, 1923.02, 1923.051, 2152.02, 2152.19, 2152.191, 2152.82, 8493  
2152.83, 2152.84, 2152.85, 2743.191, 2743.69, 2901.07, 2907.07, 8494  
2919.24, 2929.01, 2929.13, 2929.19, 2929.21, 2935.36, 2950.01, 8495  
2950.02, 2950.03, 2950.04, 2950.05, 2950.06, 2950.07, 2950.08, 8496  
2950.081, 2950.09, 2950.10, 2950.11, 2950.12, 2950.13, 2950.14, 8497  
2950.99, 2971.01, 3319.20, 3319.31, 5139.13, 5321.01, and 5321.03 8498  
of the Revised Code are hereby repealed. 8499

**Section 3.** That the versions of sections 109.42, 2152.02, 8500  
2152.19, 2743.191, 2929.01, 2929.13, 2929.19, 2929.23, 2950.01, 8501  
2950.99, and 5321.01 of the Revised Code that are scheduled to 8502  
take effect January 1, 2004, be amended to read as follows: 8503

**Sec. 109.42.** (A) The attorney general shall prepare and have 8504  
printed a pamphlet that contains a compilation of all statutes 8505  
relative to victim's rights in which the attorney general lists 8506  
and explains the statutes in the form of a victim's bill of 8507  
rights. The attorney general shall distribute the pamphlet to all 8508  
sheriffs, marshals, municipal corporation and township police 8509  
departments, constables, and other law enforcement agencies, to 8510  
all prosecuting attorneys, city directors of law, village 8511  
solicitors, and other similar chief legal officers of municipal 8512  
corporations, and to organizations that represent or provide 8513  
services for victims of crime. The victim's bill of rights set 8514  
forth in the pamphlet shall contain a description of all of the 8515  
rights of victims that are provided for in Chapter 2930. or in any 8516  
other section of the Revised Code and shall include, but not be 8517  
limited to, all of the following: 8518

(1) The right of a victim or a victim's representative to 8519  
attend a proceeding before a grand jury, in a juvenile case, or in 8520  
a criminal case pursuant to a subpoena without being discharged 8521  
from the victim's or representative's employment, having the 8522  
victim's or representative's employment terminated, having the 8523  
victim's or representative's pay decreased or withheld, or 8524  
otherwise being punished, penalized, or threatened as a result of 8525  
time lost from regular employment because of the victim's or 8526  
representative's attendance at the proceeding pursuant to the 8527  
subpoena, as set forth in section 2151.211, 2930.18, 2939.121, or 8528  
2945.451 of the Revised Code; 8529

(2) The potential availability pursuant to section 2151.359 8530  
or 2152.61 of the Revised Code of a forfeited recognizance to pay 8531  
damages caused by a child when the delinquency of the child or 8532  
child's violation of probation or community control is found to be 8533  
proximately caused by the failure of the child's parent or 8534  
guardian to subject the child to reasonable parental authority or 8535  
to faithfully discharge the conditions of probation or community 8536  
control; 8537

(3) The availability of awards of reparations pursuant to 8538  
sections 2743.51 to 2743.72 of the Revised Code for injuries 8539  
caused by criminal offenses; 8540

(4) The right of the victim in certain criminal or juvenile 8541  
cases or a victim's representative to receive, pursuant to section 8542  
2930.06 of the Revised Code, notice of the date, time, and place 8543  
of the trial or delinquency proceeding in the case or, if there 8544  
will not be a trial or delinquency proceeding, information from 8545  
the prosecutor, as defined in section 2930.01 of the Revised Code, 8546  
regarding the disposition of the case; 8547

(5) The right of the victim in certain criminal or juvenile 8548  
cases or a victim's representative to receive, pursuant to section 8549



2930.04, 2930.05, or 2930.06 of the Revised Code, notice of the 8550  
name of the person charged with the violation, the case or docket 8551  
number assigned to the charge, and a telephone number or numbers 8552  
that can be called to obtain information about the disposition of 8553  
the case; 8554

(6) The right of the victim in certain criminal or juvenile 8555  
cases or of the victim's representative pursuant to section 8556  
2930.13 or 2930.14 of the Revised Code, subject to any reasonable 8557  
terms set by the court as authorized under section 2930.14 of the 8558  
Revised Code, to make a statement about the victimization and, if 8559  
applicable, a statement relative to the sentencing or disposition 8560  
of the offender; 8561

(7) The opportunity to obtain a court order, pursuant to 8562  
section 2945.04 of the Revised Code, to prevent or stop the 8563  
commission of the offense of intimidation of a crime victim or 8564  
witness or an offense against the person or property of the 8565  
complainant, or of the complainant's ward or child; 8566

(8) The right of the victim in certain criminal or juvenile 8567  
cases or a victim's representative pursuant to sections 2151.38, 8568  
2929.20, 2930.10, 2930.16, and 2930.17 of the Revised Code to 8569  
receive notice of a pending motion for judicial release or early 8570  
release of the person who committed the offense against the 8571  
victim, to make an oral or written statement at the court hearing 8572  
on the motion, and to be notified of the court's decision on the 8573  
motion; 8574

(9) The right of the victim in certain criminal or juvenile 8575  
cases or a victim's representative pursuant to section 2930.16, 8576  
2967.12, 2967.26, or 5139.56 of the Revised Code to receive notice 8577  
of any pending commutation, pardon, parole, transitional control, 8578  
discharge, other form of authorized release, post-release control, 8579  
or supervised release for the person who committed the offense 8580  
against the victim or any application for release of that person 8581

and to send a written statement relative to the victimization and 8582  
the pending action to the adult parole authority or the release 8583  
authority of the department of youth services; 8584

(10) The right of the victim to bring a civil action pursuant 8585  
to sections 2969.01 to 2969.06 of the Revised Code to obtain money 8586  
from the offender's profit fund; 8587

(11) The right, pursuant to section 3109.09 of the Revised 8588  
Code, to maintain a civil action to recover compensatory damages 8589  
not exceeding ten thousand dollars and costs from the parent of a 8590  
minor who willfully damages property through the commission of an 8591  
act that would be a theft offense, as defined in section 2913.01 8592  
of the Revised Code, if committed by an adult; 8593

(12) The right, pursuant to section 3109.10 of the Revised 8594  
Code, to maintain a civil action to recover compensatory damages 8595  
not exceeding ten thousand dollars and costs from the parent of a 8596  
minor who willfully and maliciously assaults a person; 8597

(13) The possibility of receiving restitution from an 8598  
offender or a delinquent child pursuant to section 2152.20, 8599  
2929.18, or 2929.28 of the Revised Code; 8600

(14) The right of the victim in certain criminal or juvenile 8601  
cases or a victim's representative, pursuant to section 2930.16 of 8602  
the Revised Code, to receive notice of the escape from confinement 8603  
or custody of the person who committed the offense, to receive 8604  
that notice from the custodial agency of the person at the 8605  
victim's last address or telephone number provided to the 8606  
custodial agency, and to receive notice that, if either the 8607  
victim's address or telephone number changes, it is in the 8608  
victim's interest to provide the new address or telephone number 8609  
to the custodial agency; 8610

(15) The right of a victim of domestic violence to seek the 8611  
issuance of a temporary protection order pursuant to section 8612

2919.26 of the Revised Code, to seek the issuance of a civil 8613  
protection order pursuant to section 3113.31 of the Revised Code, 8614  
and to be accompanied by a victim advocate during court 8615  
proceedings; 8616

(16) The right of a victim of a sexually oriented offense 8617  
that is not a registration-exempt sexually oriented offense or of 8618  
a child-victim oriented offense that is committed by a person who 8619  
is convicted of or pleads guilty to an aggravated sexually 8620  
oriented offense, by a person who is adjudicated ~~as being~~ a sexual 8621  
predator or child-victim predator, or, in certain cases, by a 8622  
person who is determined to be a habitual sex offender or habitual 8623  
child-victim offender to receive, pursuant to section 2950.10 of 8624  
the Revised Code, notice that the person has registered with a 8625  
sheriff under section 2950.04, 2950.041, or 2950.05 of the Revised 8626  
Code and notice of the person's name ~~and~~, the person's residence 8627  
that is registered, and the offender's school, institution of 8628  
higher education, or place of employment address or addresses that 8629  
are registered, and a summary of the manner in which the victim 8630  
must make a request to receive the notice. As used in this 8631  
division, "sexually oriented offense," "adjudicated ~~as being~~ a 8632  
sexual predator," ~~and~~ "habitual sex offender," 8633  
"registration-exempt sexually oriented offense," "aggravated 8634  
sexually oriented offense," "child-victim oriented offense," 8635  
"adjudicated a child-victim predator," and "habitual child-victim 8636  
offender" have the same meanings as in section 2950.01 of the 8637  
Revised Code. 8638

(17) The right of a victim of certain sexually violent 8639  
offenses committed by a sexually violent predator who is sentenced 8640  
to a prison term pursuant to division (A)(3) of section 2971.03 of 8641  
the Revised Code to receive, pursuant to section 2930.16 of the 8642  
Revised Code, notice of a hearing to determine whether to modify 8643  
the requirement that the offender serve the entire prison term in 8644

a state correctional facility, whether to continue, revise, or 8645  
revoke any existing modification of that requirement, or whether 8646  
to terminate the prison term. As used in this division, "sexually 8647  
violent offense" and "sexually violent predator" have the same 8648  
meanings as in section 2971.01 of the Revised Code. 8649

(B)(1)(a) Subject to division (B)(1)(c) of this section, a 8650  
prosecuting attorney, assistant prosecuting attorney, city 8651  
director of law, assistant city director of law, village 8652  
solicitor, assistant village solicitor, or similar chief legal 8653  
officer of a municipal corporation or an assistant of any of those 8654  
officers who prosecutes an offense committed in this state, upon 8655  
first contact with the victim of the offense, the victim's family, 8656  
or the victim's dependents, shall give the victim, the victim's 8657  
family, or the victim's dependents a copy of the pamphlet prepared 8658  
pursuant to division (A) of this section and explain, upon 8659  
request, the information in the pamphlet to the victim, the 8660  
victim's family, or the victim's dependents. 8661

(b) Subject to division (B)(1)(c) of this section, a law 8662  
enforcement agency that investigates an offense or delinquent act 8663  
committed in this state shall give the victim of the offense or 8664  
delinquent act, the victim's family, or the victim's dependents a 8665  
copy of the pamphlet prepared pursuant to division (A) of this 8666  
section at one of the following times: 8667

(i) Upon first contact with the victim, the victim's family, 8668  
or the victim's dependents; 8669

(ii) If the offense or delinquent act is an offense of 8670  
violence, if the circumstances of the offense or delinquent act 8671  
and the condition of the victim, the victim's family, or the 8672  
victim's dependents indicate that the victim, the victim's family, 8673  
or the victim's dependents will not be able to understand the 8674  
significance of the pamphlet upon first contact with the agency, 8675  
and if the agency anticipates that it will have an additional 8676

contact with the victim, the victim's family, or the victim's 8677  
dependents, upon the agency's second contact with the victim, the 8678  
victim's family, or the victim's dependents. 8679

If the agency does not give the victim, the victim's family, 8680  
or the victim's dependents a copy of the pamphlet upon first 8681  
contact with them and does not have a second contact with the 8682  
victim, the victim's family, or the victim's dependents, the 8683  
agency shall mail a copy of the pamphlet to the victim, the 8684  
victim's family, or the victim's dependents at their last known 8685  
address. 8686

(c) In complying on and after December 9, 1994, with the 8687  
duties imposed by division (B)(1)(a) or (b) of this section, an 8688  
official or a law enforcement agency shall use copies of the 8689  
pamphlet that are in the official's or agency's possession on 8690  
December 9, 1994, until the official or agency has distributed all 8691  
of those copies. After the official or agency has distributed all 8692  
of those copies, the official or agency shall use only copies of 8693  
the pamphlet that contain at least the information described in 8694  
division (A)(1) to (17) of this section. 8695

(2) The failure of a law enforcement agency or of a 8696  
prosecuting attorney, assistant prosecuting attorney, city 8697  
director of law, assistant city director of law, village 8698  
solicitor, assistant village solicitor, or similar chief legal 8699  
officer of a municipal corporation or an assistant to any of those 8700  
officers to give, as required by division (B)(1) of this section, 8701  
the victim of an offense or delinquent act, the victim's family, 8702  
or the victim's dependents a copy of the pamphlet prepared 8703  
pursuant to division (A) of this section does not give the victim, 8704  
the victim's family, the victim's dependents, or a victim's 8705  
representative any rights under section 122.95, 2743.51 to 8706  
2743.72, 2945.04, 2967.12, 2969.01 to 2969.06, 3109.09, or 3109.10 8707  
of the Revised Code or under any other provision of the Revised 8708

Code and does not affect any right under those sections. 8709

(3) A law enforcement agency, a prosecuting attorney or 8710  
assistant prosecuting attorney, or a city director of law, 8711  
assistant city director of law, village solicitor, assistant 8712  
village solicitor, or similar chief legal officer of a municipal 8713  
corporation that distributes a copy of the pamphlet prepared 8714  
pursuant to division (A) of this section shall not be required to 8715  
distribute a copy of an information card or other printed material 8716  
provided by the clerk of the court of claims pursuant to section 8717  
2743.71 of the Revised Code. 8718

(C) The cost of printing and distributing the pamphlet 8719  
prepared pursuant to division (A) of this section shall be paid 8720  
out of the reparations fund, created pursuant to section 2743.191 8721  
of the Revised Code, in accordance with division (D) of that 8722  
section. 8723

(D) As used in this section: 8724

(1) "Victim's representative" has the same meaning as in 8725  
section 2930.01 of the Revised Code; 8726

(2) "Victim advocate" has the same meaning as in section 8727  
2919.26 of the Revised Code. 8728

**Sec. 2152.02.** As used in this chapter: 8729

(A) "Act charged" means the act that is identified in a 8730  
complaint, indictment, or information alleging that a child is a 8731  
delinquent child. 8732

(B) "Admitted to a department of youth services facility" 8733  
includes admission to a facility operated, or contracted for, by 8734  
the department and admission to a comparable facility outside this 8735  
state by another state or the United States. 8736

(C)(1) "Child" means a person who is under eighteen years of 8737  
age, except as otherwise provided in divisions (C)(2) to (6) of 8738

this section. 8739

(2) Subject to division (C)(3) of this section, any person 8740  
who violates a federal or state law or a municipal ordinance prior 8741  
to attaining eighteen years of age shall be deemed a "child" 8742  
irrespective of that person's age at the time the complaint with 8743  
respect to that violation is filed or the hearing on the complaint 8744  
is held. 8745

(3) Any person who, while under eighteen years of age, 8746  
commits an act that would be a felony if committed by an adult and 8747  
who is not taken into custody or apprehended for that act until 8748  
after the person attains twenty-one years of age is not a child in 8749  
relation to that act. 8750

(4) Any person whose case is transferred for criminal 8751  
prosecution pursuant to section 2152.12 of the Revised Code shall 8752  
be deemed after the transfer not to be a child in the transferred 8753  
case. 8754

(5) Any person whose case is transferred for criminal 8755  
prosecution pursuant to section 2152.12 of the Revised Code and 8756  
who subsequently is convicted of or pleads guilty to a felony in 8757  
that case, and any person who is adjudicated a delinquent child 8758  
for the commission of an act, who has a serious youthful offender 8759  
dispositional sentence imposed for the act pursuant to section 8760  
2152.13 of the Revised Code, and whose adult portion of the 8761  
dispositional sentence is invoked pursuant to section 2152.14 of 8762  
the Revised Code, shall be deemed after the transfer or invocation 8763  
not to be a child in any case in which a complaint is filed 8764  
against the person. 8765

(6) The juvenile court has jurisdiction over a person who is 8766  
adjudicated a delinquent child or juvenile traffic offender prior 8767  
to attaining eighteen years of age until the person attains 8768  
twenty-one years of age, and, for purposes of that jurisdiction 8769

related to that adjudication, except as otherwise provided in this 8770  
division, a person who is so adjudicated a delinquent child or 8771  
juvenile traffic offender shall be deemed a "child" until the 8772  
person attains twenty-one years of age. If a person is so 8773  
adjudicated a delinquent child or juvenile traffic offender and 8774  
the court makes a disposition of the person under this chapter, at 8775  
any time after the person attains eighteen years of age, the 8776  
places at which the person may be held under that disposition are 8777  
not limited to places authorized under this chapter solely for 8778  
confinement of children, and the person may be confined under that 8779  
disposition, in accordance with division (F)(2) of section 2152.26 8780  
of the Revised Code, in places other than those authorized under 8781  
this chapter solely for confinement of children. 8782

(D) "Chronic truant" means any child of compulsory school age 8783  
who is absent without legitimate excuse for absence from the 8784  
public school the child is supposed to attend for seven or more 8785  
consecutive school days, ten or more school days in one school 8786  
month, or fifteen or more school days in a school year. 8787

(E) "Community corrections facility," "public safety beds," 8788  
"release authority," and "supervised release" have the same 8789  
meanings as in section 5139.01 of the Revised Code. 8790

(F) "Delinquent child" includes any of the following: 8791

(1) Any child, except a juvenile traffic offender, who 8792  
violates any law of this state or the United States, or any 8793  
ordinance of a political subdivision of the state, that would be 8794  
an offense if committed by an adult; 8795

(2) Any child who violates any lawful order of the court made 8796  
under this chapter or under Chapter 2151. of the Revised Code 8797  
other than an order issued under section 2151.87 of the Revised 8798  
Code; 8799

(3) Any child who violates division (A) of section 2923.211 8800



of the Revised Code; 8801

(4) Any child who is a habitual truant and who previously has 8802  
been adjudicated an unruly child for being a habitual truant; 8803

(5) Any child who is a chronic truant. 8804

(G) "Discretionary serious youthful offender" means a person 8805  
who is eligible for a discretionary SYO and who is not transferred 8806  
to adult court under a mandatory or discretionary transfer. 8807

(H) "Discretionary SYO" means a case in which the juvenile 8808  
court, in the juvenile court's discretion, may impose a serious 8809  
youthful offender disposition under section 2152.13 of the Revised 8810  
Code. 8811

(I) "Discretionary transfer" means that the juvenile court 8812  
has discretion to transfer a case for criminal prosecution under 8813  
division (B) of section 2152.12 of the Revised Code. 8814

(J) "Drug abuse offense," "felony drug abuse offense," and 8815  
"minor drug possession offense" have the same meanings as in 8816  
section 2925.01 of the Revised Code. 8817

(K) "Electronic monitoring" and "electronic monitoring 8818  
device" have the same meanings as in section 2929.01 of the 8819  
Revised Code. 8820

(L) "Economic loss" means any economic detriment suffered by 8821  
a victim of a delinquent act as a result of the delinquent act and 8822  
includes any loss of income due to lost time at work because of 8823  
any injury caused to the victim and any property loss, medical 8824  
cost, or funeral expense incurred as a result of the delinquent 8825  
act. 8826

(M) "Firearm" has the same meaning as in section 2923.11 of 8827  
the Revised Code. 8828

(N) "Juvenile traffic offender" means any child who violates 8829  
any traffic law, traffic ordinance, or traffic regulation of this 8830

state, the United States, or any political subdivision of this 8831  
state, other than a resolution, ordinance, or regulation of a 8832  
political subdivision of this state the violation of which is 8833  
required to be handled by a parking violations bureau or a joint 8834  
parking violations bureau pursuant to Chapter 4521. of the Revised 8835  
Code. 8836

(O) A "legitimate excuse for absence from the public school 8837  
the child is supposed to attend" has the same meaning as in 8838  
section 2151.011 of the Revised Code. 8839

(P) "Mandatory serious youthful offender" means a person who 8840  
is eligible for a mandatory SYO and who is not transferred to 8841  
adult court under a mandatory or discretionary transfer. 8842

(Q) "Mandatory SYO" means a case in which the juvenile court 8843  
is required to impose a mandatory serious youthful offender 8844  
disposition under section 2152.13 of the Revised Code. 8845

(R) "Mandatory transfer" means that a case is required to be 8846  
transferred for criminal prosecution under division (A) of section 8847  
2152.12 of the Revised Code. 8848

(S) "Mental illness" has the same meaning as in section 8849  
5122.01 of the Revised Code. 8850

(T) "Mentally retarded person" has the same meaning as in 8851  
section 5123.01 of the Revised Code. 8852

(U) "Monitored time" and "repeat violent offender" have the 8853  
same meanings as in section 2929.01 of the Revised Code. 8854

(V) "Of compulsory school age" has the same meaning as in 8855  
section 3321.01 of the Revised Code. 8856

(W) "Public record" has the same meaning as in section 149.43 8857  
of the Revised Code. 8858

(X) "Serious youthful offender" means a person who is 8859  
eligible for a mandatory SYO or discretionary SYO but who is not 8860

transferred to adult court under a mandatory or discretionary transfer. 8861  
8862

(Y) "Sexually oriented offense," "habitual sex offender," "juvenile ~~sex~~ offender registrant," ~~and~~ "sexual predator," "presumptive registration-exempt sexually oriented offense," "registration-exempt sexually oriented offense," "child-victim oriented offense," "habitual child-victim offender," and "child-victim predator" have the same meanings as in section 2950.01 of the Revised Code. 8863  
8864  
8865  
8866  
8867  
8868  
8869

(Z) "Traditional juvenile" means a case that is not transferred to adult court under a mandatory or discretionary transfer, that is eligible for a disposition under sections 2152.16, 2152.17, 2152.19, and 2152.20 of the Revised Code, and that is not eligible for a disposition under section 2152.13 of the Revised Code. 8870  
8871  
8872  
8873  
8874  
8875

(AA) "Transfer" means the transfer for criminal prosecution of a case involving the alleged commission by a child of an act that would be an offense if committed by an adult from the juvenile court to the appropriate court that has jurisdiction of the offense. 8876  
8877  
8878  
8879  
8880

(BB) "Category one offense" means any of the following: 8881

(1) A violation of section 2903.01 or 2903.02 of the Revised Code; 8882  
8883

(2) A violation of section 2923.02 of the Revised Code involving an attempt to commit aggravated murder or murder. 8884  
8885

(CC) "Category two offense" means any of the following: 8886

(1) A violation of section 2903.03, 2905.01, 2907.02, 2909.02, 2911.01, or 2911.11 of the Revised Code; 8887  
8888

(2) A violation of section 2903.04 of the Revised Code that is a felony of the first degree; 8889  
8890

(3) A violation of section 2907.12 of the Revised Code as it 8891  
existed prior to September 3, 1996. 8892

**Sec. 2152.19.** (A) If a child is adjudicated a delinquent 8893  
child, the court may make any of the following orders of 8894  
disposition, in addition to any other disposition authorized or 8895  
required by this chapter: 8896

(1) Any order that is authorized by section 2151.353 of the 8897  
Revised Code for the care and protection of an abused, neglected, 8898  
or dependent child; 8899

(2) Commit the child to the temporary custody of any school, 8900  
camp, institution, or other facility operated for the care of 8901  
delinquent children by the county, by a district organized under 8902  
section 2152.41 or 2151.65 of the Revised Code, or by a private 8903  
agency or organization, within or without the state, that is 8904  
authorized and qualified to provide the care, treatment, or 8905  
placement required, including, but not limited to, a school, camp, 8906  
or facility operated under section 2151.65 of the Revised Code; 8907

(3) Place the child in a detention facility or district 8908  
detention facility operated under section 2152.41 of the Revised 8909  
Code, for up to ninety days; 8910

(4) Place the child on community control under any sanctions, 8911  
services, and conditions that the court prescribes. As a condition 8912  
of community control in every case and in addition to any other 8913  
condition that it imposes upon the child, the court shall require 8914  
the child to abide by the law during the period of community 8915  
control. As referred to in this division, community control 8916  
includes, but is not limited to, the following sanctions and 8917  
conditions: 8918

(a) A period of basic probation supervision in which the 8919  
child is required to maintain contact with a person appointed to 8920

supervise the child in accordance with sanctions imposed by the court; 8921  
8922

(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; 8923  
8924  
8925  
8926  
8927

(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; 8928  
8929  
8930  
8931  
8932

(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; 8933  
8934  
8935  
8936  
8937  
8938

(e) A requirement that the child obtain a high school diploma, a certificate of high school equivalence, vocational training, or employment; 8939  
8940  
8941

(f) A period of drug and alcohol use monitoring; 8942

(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; 8943  
8944  
8945  
8946

(h) A period in which the court orders the child to observe a curfew that may involve daytime or evening hours; 8947  
8948

(i) A requirement that the child serve monitored time; 8949

(j) A period of house arrest without electronic monitoring; 8950

(k) A period of electronic monitoring without house arrest or 8951  
house arrest with electronic monitoring that does not exceed the 8952  
maximum sentence of imprisonment that could be imposed upon an 8953  
adult who commits the same act. 8954

A period of house arrest with electronic monitoring imposed 8955  
under this division shall not extend beyond the child's 8956  
twenty-first birthday. If a court imposes a period of house arrest 8957  
with electronic monitoring upon a child under this division, it 8958  
shall require the child: to remain in the child's home or other 8959  
specified premises for the entire period of house arrest with 8960  
electronic monitoring except when the court permits the child to 8961  
leave those premises to go to school or to other specified 8962  
premises; to be monitored by a central system that can determine 8963  
the child's location at designated times; to report periodically 8964  
to a person designated by the court; and to enter into a written 8965  
contract with the court agreeing to comply with all requirements 8966  
imposed by the court, agreeing to pay any fee imposed by the court 8967  
for the costs of the house arrest with electronic monitoring, and 8968  
agreeing to waive the right to receive credit for any time served 8969  
on house arrest with electronic monitoring toward the period of 8970  
any other dispositional order imposed upon the child if the child 8971  
violates any of the requirements of the dispositional order of 8972  
house arrest with electronic monitoring. The court also may impose 8973  
other reasonable requirements upon the child. 8974

Unless ordered by the court, a child shall not receive credit 8975  
for any time served on house arrest with electronic monitoring 8976  
toward any other dispositional order imposed upon the child for 8977  
the act for which was imposed the dispositional order of house 8978  
arrest with electronic monitoring. 8979

(l) A suspension of the driver's license, probationary 8980  
driver's license, or temporary instruction permit issued to the 8981  
child for a period of time prescribed by the court, or a 8982

suspension of the registration of all motor vehicles registered in the name of the child for a period of time prescribed by the court. 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.

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

(6) 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;

(7)(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) or (3) 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)(6) 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: 9014

(i) Require the parent, guardian, or other person having care 9015  
of the child to participate in a truancy prevention mediation 9016  
program; 9017

(ii) Require the parent, guardian, or other person having 9018  
care of the child to participate in any community service program, 9019  
preferably a community service program that requires the 9020  
involvement of the parent, guardian, or other person having care 9021  
of the child in the school attended by the child. 9022

(8) Make any further disposition that the court finds proper, 9023  
except that the child shall not be placed in any of the following: 9024

(a) A state correctional institution, a county, multicounty, 9025  
or municipal jail or workhouse, or another place in which an adult 9026  
convicted of a crime, under arrest, or charged with a crime is 9027  
held; 9028

(b) A community corrections facility, if the child would be 9029  
covered by the definition of public safety beds for purposes of 9030  
sections 5139.41 to 5139.45 of the Revised Code if the court 9031  
exercised its authority to commit the child to the legal custody 9032  
of the department of youth services for institutionalization or 9033  
institutionalization in a secure facility pursuant to this 9034  
chapter. 9035

(B) If a child is adjudicated a delinquent child, in addition 9036  
to any order of disposition made under division (A) of this 9037  
section, the court, in the following situations and for the 9038  
specified periods of time, shall suspend the child's temporary 9039  
instruction permit, restricted license, probationary driver's 9040  
license, or nonresident operating privilege, or suspend the 9041  
child's ability to obtain such a permit: 9042

(1) If the child is adjudicated a delinquent child for 9043  
violating section 2923.122 of the Revised Code, impose a class 9044



four suspension of the child's license, permit, or privilege from 9045  
the range specified in division (A)(4) of section 4510.02 of the 9046  
Revised Code or deny the child the issuance of a license or permit 9047  
in accordance with division (F)(1) of section 2923.122 of the 9048  
Revised Code. 9049

(2) If the child is adjudicated a delinquent child for 9050  
committing an act that if committed by an adult would be a drug 9051  
abuse offense or for violating division (B) of section 2917.11 of 9052  
the Revised Code, suspend the child's license, permit, or 9053  
privilege for a period of time prescribed by the court. The court, 9054  
in its discretion, may terminate the suspension if the child 9055  
attends and satisfactorily completes a drug abuse or alcohol abuse 9056  
education, intervention, or treatment program specified by the 9057  
court. During the time the child is attending a program described 9058  
in this division, the court shall retain the child's temporary 9059  
instruction permit, probationary driver's license, or driver's 9060  
license, and the court shall return the permit or license if it 9061  
terminates the suspension as described in this division. 9062

(C) The court may establish a victim-offender mediation 9063  
program in which victims and their offenders meet to discuss the 9064  
offense and suggest possible restitution. If the court obtains the 9065  
assent of the victim of the delinquent act committed by the child, 9066  
the court may require the child to participate in the program. 9067

(D)(1) If a child is adjudicated a delinquent child for 9068  
committing an act that would be a felony if committed by an adult 9069  
and if the child caused, attempted to cause, threatened to cause, 9070  
or created a risk of physical harm to the victim of the act, the 9071  
court, prior to issuing an order of disposition under this 9072  
section, shall order the preparation of a victim impact statement 9073  
by the probation department of the county in which the victim of 9074  
the act resides, by the court's own probation department, or by a 9075  
victim assistance program that is operated by the state, a county, 9076

a municipal corporation, or another governmental entity. The court 9077  
shall consider the victim impact statement in determining the 9078  
order of disposition to issue for the child. 9079

(2) Each victim impact statement shall identify the victim of 9080  
the act for which the child was adjudicated a delinquent child, 9081  
itemize any economic loss suffered by the victim as a result of 9082  
the act, identify any physical injury suffered by the victim as a 9083  
result of the act and the seriousness and permanence of the 9084  
injury, identify any change in the victim's personal welfare or 9085  
familial relationships as a result of the act and any 9086  
psychological impact experienced by the victim or the victim's 9087  
family as a result of the act, and contain any other information 9088  
related to the impact of the act upon the victim that the court 9089  
requires. 9090

(3) A victim impact statement shall be kept confidential and 9091  
is not a public record. However, the court may furnish copies of 9092  
the statement to the department of youth services if the 9093  
delinquent child is committed to the department or to both the 9094  
adjudicated delinquent child or the adjudicated delinquent child's 9095  
counsel and the prosecuting attorney. The copy of a victim impact 9096  
statement furnished by the court to the department pursuant to 9097  
this section shall be kept confidential and is not a public 9098  
record. If an officer is preparing pursuant to section 2947.06 or 9099  
2951.03 of the Revised Code or Criminal Rule 32.2 a presentence 9100  
investigation report pertaining to a person, the court shall make 9101  
available to the officer, for use in preparing the report, a copy 9102  
of any victim impact statement regarding that person. The copies 9103  
of a victim impact statement that are made available to the 9104  
adjudicated delinquent child or the adjudicated delinquent child's 9105  
counsel and the prosecuting attorney pursuant to this division 9106  
shall be returned to the court by the person to whom they were 9107  
made available immediately following the imposition of an order of 9108

disposition for the child under this chapter. 9109

The copy of a victim impact statement that is made available 9110  
pursuant to this division to an officer preparing a criminal 9111  
presentence investigation report shall be returned to the court by 9112  
the officer immediately following its use in preparing the report. 9113

(4) The department of youth services shall work with local 9114  
probation departments and victim assistance programs to develop a 9115  
standard victim impact statement. 9116

(E) If a child is adjudicated a delinquent child for being a 9117  
chronic truant or an habitual truant who previously has been 9118  
adjudicated an unruly child for being an habitual truant and the 9119  
court determines that the parent, guardian, or other person having 9120  
care of the child has failed to cause the child's attendance at 9121  
school in violation of section 3321.38 of the Revised Code, in 9122  
addition to any order of disposition it makes under this section, 9123  
the court shall warn the parent, guardian, or other person having 9124  
care of the child that any subsequent adjudication of the child as 9125  
an unruly or delinquent child for being an habitual or chronic 9126  
truant may result in a criminal charge against the parent, 9127  
guardian, or other person having care of the child for a violation 9128  
of division (C) of section 2919.21 or section 2919.24 of the 9129  
Revised Code. 9130

(F)(1) During the period of a delinquent child's community 9131  
control granted under this section, authorized probation officers 9132  
who are engaged within the scope of their supervisory duties or 9133  
responsibilities may search, with or without a warrant, the person 9134  
of the delinquent child, the place of residence of the delinquent 9135  
child, and a motor vehicle, another item of tangible or intangible 9136  
personal property, or other real property in which the delinquent 9137  
child has a right, title, or interest or for which the delinquent 9138  
child has the express or implied permission of a person with a 9139  
right, title, or interest to use, occupy, or possess if the 9140

probation officers have reasonable grounds to believe that the 9141  
delinquent child is not abiding by the law or otherwise is not 9142  
complying with the conditions of the delinquent child's community 9143  
control. The court that places a delinquent child on community 9144  
control under this section shall provide the delinquent child with 9145  
a written notice that informs the delinquent child that authorized 9146  
probation officers who are engaged within the scope of their 9147  
supervisory duties or responsibilities may conduct those types of 9148  
searches during the period of community control if they have 9149  
reasonable grounds to believe that the delinquent child is not 9150  
abiding by the law or otherwise is not complying with the 9151  
conditions of the delinquent child's community control. The court 9152  
also shall provide the written notice described in division (E)(2) 9153  
of this section to each parent, guardian, or custodian of the 9154  
delinquent child who is described in that division. 9155

(2) The court that places a child on community control under 9156  
this section shall provide the child's parent, guardian, or other 9157  
custodian with a written notice that informs them that authorized 9158  
probation officers may conduct searches pursuant to division 9159  
(E)(1) of this section. The notice shall specifically state that a 9160  
permissible search might extend to a motor vehicle, another item 9161  
of tangible or intangible personal property, or a place of 9162  
residence or other real property in which a notified parent, 9163  
guardian, or custodian has a right, title, or interest and that 9164  
the parent, guardian, or custodian expressly or impliedly permits 9165  
the child to use, occupy, or possess. 9166

(G) If a juvenile court commits a delinquent child to the 9167  
custody of any person, organization, or entity pursuant to this 9168  
section and if the delinquent act for which the child is so 9169  
committed is a sexually oriented offense that is not a 9170  
registration-exempt sexually oriented offense or is a child-victim 9171  
oriented offense, the court in the order of disposition shall do 9172

one of the following:	9173
(1) Require that the child be provided treatment as described in division (A)(2) of section 5139.13 of the Revised Code;	9174 9175
(2) Inform the person, organization, or entity that it is the preferred course of action in this state that the child be provided treatment as described in division (A)(2) of section 5139.13 of the Revised Code and encourage the person, organization, or entity to provide that treatment.	9176 9177 9178 9179 9180
<b>Sec. 2743.191.</b> (A)(1) There is hereby created in the state treasury the reparations fund, which shall be used only for the following purposes:	9181 9182 9183
(a) The payment of awards of reparations that are granted by the attorney general;	9184 9185
(b) The compensation of any personnel needed by the attorney general to administer sections 2743.51 to 2743.72 of the Revised Code;	9186 9187 9188
(c) The compensation of witnesses as provided in division (B) of section 2743.65 of the Revised Code;	9189 9190
(d) Other administrative costs of hearing and determining claims for an award of reparations by the attorney general;	9191 9192
(e) The costs of administering sections 2907.28 and 2969.01 to 2969.06 of the Revised Code;	9193 9194
(f) The costs of investigation and decision-making as certified by the attorney general;	9195 9196
(g) The provision of state financial assistance to victim assistance programs in accordance with sections 109.91 and 109.92 of the Revised Code;	9197 9198 9199
(h) The costs of paying the expenses of sex offense-related examinations and antibiotics pursuant to section 2907.28 of the	9200 9201

Revised Code;	9202
(i) The cost of printing and distributing the pamphlet prepared by the attorney general pursuant to section 109.42 of the Revised Code;	9203 9204 9205
(j) Subject to division (D) of section 2743.71 of the Revised Code, the costs associated with the printing and providing of information cards or other printed materials to law enforcement agencies and prosecuting authorities and with publicizing the availability of awards of reparations pursuant to section 2743.71 of the Revised Code;	9206 9207 9208 9209 9210 9211
(k) The payment of costs of administering a DNA specimen collection procedure pursuant to section 2152.74 of the Revised Code in relation to any act identified in division (E)(1) to (5) of that section and pursuant to section 2901.07 of the Revised Code in relation to any act identified in division (E)(1) to (5) of that section, of performing DNA analysis of those DNA specimens, and of entering the resulting DNA records regarding those analyses into the DNA database pursuant to section 109.573 of the Revised Code;	9212 9213 9214 9215 9216 9217 9218 9219 9220
<u>(l) The payment of actual costs associated with initiatives by the attorney general for the apprehension, prosecution, and accountability of offenders, and the enhancing of services to crime victims. The amount of payments made pursuant to division (A)(1)(l) of this section during any given fiscal year shall not exceed five per cent of the balance of the reparations fund at the close of the immediately previous fiscal year.</u>	9221 9222 9223 9224 9225 9226 9227
(2) All costs paid pursuant to section 2743.70 of the Revised Code, the portions of license reinstatement fees mandated by division (F)(2)(b) of section 4511.191 of the Revised Code to be credited to the fund, the portions of the proceeds of the sale of a forfeited vehicle specified in division (C)(2) of section	9228 9229 9230 9231 9232

4503.234 of the Revised Code, payments collected by the department 9233  
of rehabilitation and correction from prisoners who voluntarily 9234  
participate in an approved work and training program pursuant to 9235  
division (C)(8)(b)(ii) of section 5145.16 of the Revised Code, and 9236  
all moneys collected by the state pursuant to its right of 9237  
subrogation provided in section 2743.72 of the Revised Code shall 9238  
be deposited in the fund. 9239

(B) In making an award of reparations, the attorney general 9240  
shall render the award against the state. The award shall be 9241  
accomplished only through the following procedure, and the 9242  
following procedure may be enforced by writ of mandamus directed 9243  
to the appropriate official: 9244

(1) The attorney general shall provide for payment of the 9245  
claimant or providers in the amount of the award. 9246

(2) The expense shall be charged against all available 9247  
unencumbered moneys in the fund. 9248

(3) If sufficient unencumbered moneys do not exist in the 9249  
fund, the attorney general shall make application for payment of 9250  
the award out of the emergency purposes account or any other 9251  
appropriation for emergencies or contingencies, and payment out of 9252  
this account or other appropriation shall be authorized if there 9253  
are sufficient moneys greater than the sum total of then pending 9254  
emergency purposes account requests or requests for releases from 9255  
the other appropriations. 9256

(4) If sufficient moneys do not exist in the account or any 9257  
other appropriation for emergencies or contingencies to pay the 9258  
award, the attorney general shall request the general assembly to 9259  
make an appropriation sufficient to pay the award, and no payment 9260  
shall be made until the appropriation has been made. The attorney 9261  
general shall make this appropriation request during the current 9262  
biennium and during each succeeding biennium until a sufficient 9263

appropriation is made. If, prior to the time that an appropriation 9264  
is made by the general assembly pursuant to this division, the 9265  
fund has sufficient unencumbered funds to pay the award or part of 9266  
the award, the available funds shall be used to pay the award or 9267  
part of the award, and the appropriation request shall be amended 9268  
to request only sufficient funds to pay that part of the award 9269  
that is unpaid. 9270

(C) The attorney general shall not make payment on a decision 9271  
or order granting an award until all appeals have been determined 9272  
and all rights to appeal exhausted, except as otherwise provided 9273  
in this section. If any party to a claim for an award of 9274  
reparations appeals from only a portion of an award, and a 9275  
remaining portion provides for the payment of money by the state, 9276  
that part of the award calling for the payment of money by the 9277  
state and not a subject of the appeal shall be processed for 9278  
payment as described in this section. 9279

(D) The attorney general shall prepare itemized bills for the 9280  
costs of printing and distributing the pamphlet the attorney 9281  
general prepares pursuant to section 109.42 of the Revised Code. 9282  
The itemized bills shall set forth the name and address of the 9283  
persons owed the amounts set forth in them. 9284

(E) As used in this section, "DNA analysis" and "DNA 9285  
specimen" have the same meanings as in section 109.573 of the 9286  
Revised Code. 9287

**Sec. 2929.01.** As used in this chapter: 9288

(A)(1) "Alternative residential facility" means, subject to 9289  
division (A)(2) of this section, any facility other than an 9290  
offender's home or residence in which an offender is assigned to 9291  
live and that satisfies all of the following criteria: 9292

(a) It provides programs through which the offender may seek 9293



or maintain employment or may receive education, training, 9294  
treatment, or habilitation. 9295

(b) It has received the appropriate license or certificate 9296  
for any specialized education, training, treatment, habilitation, 9297  
or other service that it provides from the government agency that 9298  
is responsible for licensing or certifying that type of education, 9299  
training, treatment, habilitation, or service. 9300

(2) "Alternative residential facility" does not include a 9301  
community-based correctional facility, jail, halfway house, or 9302  
prison. 9303

(B) "Bad time" means the time by which the parole board 9304  
administratively extends an offender's stated prison term or terms 9305  
pursuant to section 2967.11 of the Revised Code because the parole 9306  
board finds by clear and convincing evidence that the offender, 9307  
while serving the prison term or terms, committed an act that is a 9308  
criminal offense under the law of this state or the United States, 9309  
whether or not the offender is prosecuted for the commission of 9310  
that act. 9311

(C) "Basic probation supervision" means a requirement that 9312  
the offender maintain contact with a person appointed to supervise 9313  
the offender in accordance with sanctions imposed by the court or 9314  
imposed by the parole board pursuant to section 2967.28 of the 9315  
Revised Code. "Basic probation supervision" includes basic parole 9316  
supervision and basic post-release control supervision. 9317

(D) "Cocaine," "crack cocaine," "hashish," "L.S.D.," and 9318  
"unit dose" have the same meanings as in section 2925.01 of the 9319  
Revised Code. 9320

(E) "Community-based correctional facility" means a 9321  
community-based correctional facility and program or district 9322  
community-based correctional facility and program developed 9323  
pursuant to sections 2301.51 to 2301.56 of the Revised Code. 9324

(F) "Community control sanction" means a sanction that is not a prison term and that is described in section 2929.15, 2929.16, 2929.17, or 2929.18 of the Revised Code or a sanction that is not a jail term and that is described in section 2929.26, 2929.27, or 2929.28 of the Revised Code. "Community control sanction" includes probation if the sentence involved was imposed for a felony that was committed prior to July 1, 1996, or if the sentence involved was imposed for a misdemeanor that was committed prior to January 1, 2004.

(G) "Controlled substance," "marihuana," "schedule I," and "schedule II" have the same meanings as in section 3719.01 of the Revised Code.

(H) "Curfew" means a requirement that an offender during a specified period of time be at a designated place.

(I) "Day reporting" means a sanction pursuant to which an offender is required each day to report to and leave a center or other approved reporting location at specified times in order to participate in work, education or training, treatment, and other approved programs at the center or outside the center.

(J) "Deadly weapon" has the same meaning as in section 2923.11 of the Revised Code.

(K) "Drug and alcohol use monitoring" means a program under which an offender agrees to submit to random chemical analysis of the offender's blood, breath, or urine to determine whether the offender has ingested any alcohol or other drugs.

(L) "Drug treatment program" means any program under which a person undergoes assessment and treatment designed to reduce or completely eliminate the person's physical or emotional reliance upon alcohol, another drug, or alcohol and another drug and under which the person may be required to receive assessment and treatment on an outpatient basis or may be required to reside at a

facility other than the person's home or residence while 9356  
undergoing assessment and treatment. 9357

(M) "Economic loss" means any economic detriment suffered by 9358  
a victim as a result of the commission of a felony and includes 9359  
any loss of income due to lost time at work because of any injury 9360  
caused to the victim, and any property loss, medical cost, or 9361  
funeral expense incurred as a result of the commission of the 9362  
felony. 9363

(N) "Education or training" includes study at, or in 9364  
conjunction with a program offered by, a university, college, or 9365  
technical college or vocational study and also includes the 9366  
completion of primary school, secondary school, and literacy 9367  
curricula or their equivalent. 9368

(O) "Firearm" has the same meaning as in section 2923.11 of 9369  
the Revised Code. 9370

(P) "Halfway house" means a facility licensed by the division 9371  
of parole and community services of the department of 9372  
rehabilitation and correction pursuant to section 2967.14 of the 9373  
Revised Code as a suitable facility for the care and treatment of 9374  
adult offenders. 9375

(Q) "House arrest" means a period of confinement of an 9376  
offender that is in the offender's home or in other premises 9377  
specified by the sentencing court or by the parole board pursuant 9378  
to section 2967.28 of the Revised Code and during which all of the 9379  
following apply: 9380

(1) The offender is required to remain in the offender's home 9381  
or other specified premises for the specified period of 9382  
confinement, except for periods of time during which the offender 9383  
is at the offender's place of employment or at other premises as 9384  
authorized by the sentencing court or by the parole board. 9385

(2) The offender is required to report periodically to a 9386

person designated by the court or parole board. 9387

(3) The offender is subject to any other restrictions and 9388  
requirements that may be imposed by the sentencing court or by the 9389  
parole board. 9390

(R) "Intensive probation supervision" means a requirement 9391  
that an offender maintain frequent contact with a person appointed 9392  
by the court, or by the parole board pursuant to section 2967.28 9393  
of the Revised Code, to supervise the offender while the offender 9394  
is seeking or maintaining necessary employment and participating 9395  
in training, education, and treatment programs as required in the 9396  
court's or parole board's order. "Intensive probation supervision" 9397  
includes intensive parole supervision and intensive post-release 9398  
control supervision. 9399

(S) "Jail" means a jail, workhouse, minimum security jail, or 9400  
other residential facility used for the confinement of alleged or 9401  
convicted offenders that is operated by a political subdivision or 9402  
a combination of political subdivisions of this state. 9403

(T) "Jail term" means the term in a jail that a sentencing 9404  
court imposes or is authorized to impose pursuant to section 9405  
2929.24 or 2929.25 of the Revised Code or pursuant to any other 9406  
provision of the Revised Code that authorizes a term in a jail for 9407  
a misdemeanor conviction. 9408

(U) "Mandatory jail term" means the term in a jail that a 9409  
sentencing court is required to impose pursuant to division (G) of 9410  
section 1547.99 of the Revised Code, division (B) of section 9411  
4510.14 of the Revised Code, or division (G) of section 4511.19 of 9412  
the Revised Code or pursuant to any other provision of the Revised 9413  
Code that requires a term in a jail for a misdemeanor conviction. 9414

(V) "Delinquent child" has the same meaning as in section 9415  
2152.02 of the Revised Code. 9416

(W) "License violation report" means a report that is made by 9417

a sentencing court, or by the parole board pursuant to section 9418  
2967.28 of the Revised Code, to the regulatory or licensing board 9419  
or agency that issued an offender a professional license or a 9420  
license or permit to do business in this state and that specifies 9421  
that the offender has been convicted of or pleaded guilty to an 9422  
offense that may violate the conditions under which the offender's 9423  
professional license or license or permit to do business in this 9424  
state was granted or an offense for which the offender's 9425  
professional license or license or permit to do business in this 9426  
state may be revoked or suspended. 9427

(X) "Major drug offender" means an offender who is convicted 9428  
of or pleads guilty to the possession of, sale of, or offer to 9429  
sell any drug, compound, mixture, preparation, or substance that 9430  
consists of or contains at least one thousand grams of hashish; at 9431  
least one hundred grams of crack cocaine; at least one thousand 9432  
grams of cocaine that is not crack cocaine; at least two thousand 9433  
five hundred unit doses or two hundred fifty grams of heroin; at 9434  
least five thousand unit doses of L.S.D. or five hundred grams of 9435  
L.S.D. in a liquid concentrate, liquid extract, or liquid 9436  
distillate form; or at least one hundred times the amount of any 9437  
other schedule I or II controlled substance other than marihuana 9438  
that is necessary to commit a felony of the third degree pursuant 9439  
to section 2925.03, 2925.04, 2925.05, or 2925.11 of the Revised 9440  
Code that is based on the possession of, sale of, or offer to sell 9441  
the controlled substance. 9442

(Y) "Mandatory prison term" means any of the following: 9443

(1) Subject to division (Y)(2) of this section, the term in 9444  
prison that must be imposed for the offenses or circumstances set 9445  
forth in divisions (F)(1) to (8) or (F)(12) of section 2929.13 and 9446  
division (D) of section 2929.14 of the Revised Code. Except as 9447  
provided in sections 2925.02, 2925.03, 2925.04, 2925.05, and 9448  
2925.11 of the Revised Code, unless the maximum or another 9449

specific term is required under section 2929.14 of the Revised Code, a mandatory prison term described in this division may be any prison term authorized for the level of offense.

(2) The term of sixty or one hundred twenty days in prison that a sentencing court is required to impose for a third or fourth degree felony OVI offense pursuant to division (G)(2) of section 2929.13 and division (G)(1)(d) or (e) of section 4511.19 of the Revised Code.

(3) The term in prison imposed pursuant to section 2971.03 of the Revised Code for the offenses and in the circumstances described in division (F)(11) of section 2929.13 of the Revised Code and that term as modified or terminated pursuant to section 2971.05 of the Revised Code.

(Z) "Monitored time" means a period of time during which an offender continues to be under the control of the sentencing court or parole board, subject to no conditions other than leading a law-abiding life.

(AA) "Offender" means a person who, in this state, is convicted of or pleads guilty to a felony or a misdemeanor.

(BB) "Prison" means a residential facility used for the confinement of convicted felony offenders that is under the control of the department of rehabilitation and correction but does not include a violation sanction center operated under authority of section 2967.141 of the Revised Code.

(CC) "Prison term" includes any of the following sanctions for an offender:

(1) A stated prison term;

(2) A term in a prison shortened by, or with the approval of, the sentencing court pursuant to section 2929.20, 2967.26, 5120.031, 5120.032, or 5120.073 of the Revised Code;

(3) A term in prison extended by bad time imposed pursuant to 9480  
section 2967.11 of the Revised Code or imposed for a violation of 9481  
post-release control pursuant to section 2967.28 of the Revised 9482  
Code. 9483

(DD) "Repeat violent offender" means a person about whom both 9484  
of the following apply: 9485

(1) The person has been convicted of or has pleaded guilty 9486  
to, and is being sentenced for committing, for complicity in 9487  
committing, or for an attempt to commit, aggravated murder, 9488  
murder, involuntary manslaughter, a felony of the first degree 9489  
other than one set forth in Chapter 2925. of the Revised Code, a 9490  
felony of the first degree set forth in Chapter 2925. of the 9491  
Revised Code that involved an attempt to cause serious physical 9492  
harm to a person or that resulted in serious physical harm to a 9493  
person, or a felony of the second degree that involved an attempt 9494  
to cause serious physical harm to a person or that resulted in 9495  
serious physical harm to a person. 9496

(2) Either of the following applies: 9497

(a) The person previously was convicted of or pleaded guilty 9498  
to, and previously served or, at the time of the offense was 9499  
serving, a prison term for, any of the following: 9500

(i) Aggravated murder, murder, involuntary manslaughter, 9501  
rape, felonious sexual penetration as it existed under section 9502  
2907.12 of the Revised Code prior to September 3, 1996, a felony 9503  
of the first or second degree that resulted in the death of a 9504  
person or in physical harm to a person, or complicity in or an 9505  
attempt to commit any of those offenses; 9506

(ii) An offense under an existing or former law of this 9507  
state, another state, or the United States that is or was 9508  
substantially equivalent to an offense listed under division 9509  
(DD)(2)(a)(i) of this section and that resulted in the death of a 9510

person or in physical harm to a person. 9511

(b) The person previously was adjudicated a delinquent child 9512  
for committing an act that if committed by an adult would have 9513  
been an offense listed in division (DD)(2)(a)(i) or (ii) of this 9514  
section, the person was committed to the department of youth 9515  
services for that delinquent act. 9516

(EE) "Sanction" means any penalty imposed upon an offender 9517  
who is convicted of or pleads guilty to an offense, as punishment 9518  
for the offense. "Sanction" includes any sanction imposed pursuant 9519  
to any provision of sections 2929.14 to 2929.18 or 2929.24 to 9520  
2929.28 of the Revised Code. 9521

(FF) "Sentence" means the sanction or combination of 9522  
sanctions imposed by the sentencing court on an offender who is 9523  
convicted of or pleads guilty to an offense. 9524

(GG) "Stated prison term" means the prison term, mandatory 9525  
prison term, or combination of all prison terms and mandatory 9526  
prison terms imposed by the sentencing court pursuant to section 9527  
2929.14 or 2971.03 of the Revised Code. "Stated prison term" 9528  
includes any credit received by the offender for time spent in 9529  
jail awaiting trial, sentencing, or transfer to prison for the 9530  
offense and any time spent under house arrest or house arrest with 9531  
electronic monitoring imposed after earning credits pursuant to 9532  
section 2967.193 of the Revised Code. 9533

(HH) "Victim-offender mediation" means a reconciliation or 9534  
mediation program that involves an offender and the victim of the 9535  
offense committed by the offender and that includes a meeting in 9536  
which the offender and the victim may discuss the offense, discuss 9537  
restitution, and consider other sanctions for the offense. 9538

(II) "Fourth degree felony OVI offense" means a violation of 9539  
division (A) of section 4511.19 of the Revised Code that, under 9540  
division (G) of that section, is a felony of the fourth degree. 9541



(JJ) "Mandatory term of local incarceration" means the term  
of sixty or one hundred twenty days in a jail, a community-based  
correctional facility, a halfway house, or an alternative  
residential facility that a sentencing court may impose upon a  
person who is convicted of or pleads guilty to a fourth degree  
felony OVI offense pursuant to division (G)(1) of section 2929.13  
of the Revised Code and division (G)(1)(d) or (e) of section  
4511.19 of the Revised Code.

(KK) "Designated homicide, assault, or kidnapping offense,"  
"sexual motivation specification," "sexually violent offense,"  
"sexually violent predator," and "sexually violent predator  
specification" have the same meanings as in section 2971.01 of the  
Revised Code.

(LL) "Habitual sex offender," "sexually oriented offense,"  
~~and "sexual predator,"~~ "registration-exempt sexually oriented  
offense," "child-victim oriented offense," "habitual child-victim  
offender," and "child-victim predator" have the same meanings as  
in section 2950.01 of the Revised Code.

(MM) An offense is "committed in the vicinity of a child" if  
the offender commits the offense within thirty feet of or within  
the same residential unit as a child who is under eighteen years  
of age, regardless of whether the offender knows the age of the  
child or whether the offender knows the offense is being committed  
within thirty feet of or within the same residential unit as the  
child and regardless of whether the child actually views the  
commission of the offense.

(NN) "Family or household member" has the same meaning as in  
section 2919.25 of the Revised Code.

(OO) "Motor vehicle" and "manufactured home" have the same  
meanings as in section 4501.01 of the Revised Code.

(PP) "Detention" and "detention facility" have the same

meanings as in section 2921.01 of the Revised Code. 9573

(QQ) "Third degree felony OVI offense" means a violation of 9574  
division (A) of section 4511.19 of the Revised Code that, under 9575  
division (G) of that section, is a felony of the third degree. 9576

(RR) "Random drug testing" has the same meaning as in section 9577  
5120.63 of the Revised Code. 9578

(SS) "Felony sex offense" has the same meaning as in section 9579  
2967.28 of the Revised Code. 9580

(TT) "Body armor" has the same meaning as in section 9581  
2941.1411 of the Revised Code. 9582

(UU) "Electronic monitoring" means monitoring through the use 9583  
of an electronic monitoring device. 9584

(VV) "Electronic monitoring device" means any of the 9585  
following: 9586

(1) Any device that can be operated by electrical or battery 9587  
power and that conforms with all of the following: 9588

(a) The device has a transmitter that can be attached to a 9589  
person, that will transmit a specified signal to a receiver of the 9590  
type described in division (VV)(1)(b) of this section if the 9591  
transmitter is removed from the person, turned off, or altered in 9592  
any manner without prior court approval in relation to electronic 9593  
monitoring or without prior approval of the department of 9594  
rehabilitation and correction in relation to the use of an 9595  
electronic monitoring device for an inmate on transitional control 9596  
or otherwise is tampered with, that can transmit continuously and 9597  
periodically a signal to that receiver when the person is within a 9598  
specified distance from the receiver, and that can transmit an 9599  
appropriate signal to that receiver if the person to whom it is 9600  
attached travels a specified distance from that receiver. 9601

(b) The device has a receiver that can receive continuously 9602

the signals transmitted by a transmitter of the type described in 9603  
division (VV)(1)(a) of this section, can transmit continuously 9604  
those signals by telephone to a central monitoring computer of the 9605  
type described in division (VV)(1)(c) of this section, and can 9606  
transmit continuously an appropriate signal to that central 9607  
monitoring computer if the receiver is turned off or altered 9608  
without prior court approval or otherwise tampered with. 9609

(c) The device has a central monitoring computer that can 9610  
receive continuously the signals transmitted by telephone by a 9611  
receiver of the type described in division (VV)(1)(b) of this 9612  
section and can monitor continuously the person to whom an 9613  
electronic monitoring device of the type described in division 9614  
(VV)(1)(a) of this section is attached. 9615

(2) Any device that is not a device of the type described in 9616  
division (VV)(1) of this section and that conforms with all of the 9617  
following: 9618

(a) The device includes a transmitter and receiver that can 9619  
monitor and determine the location of a subject person at any 9620  
time, or at a designated point in time, through the use of a 9621  
central monitoring computer or through other electronic means. 9622

(b) The device includes a transmitter and receiver that can 9623  
determine at any time, or at a designated point in time, through 9624  
the use of a central monitoring computer or other electronic means 9625  
the fact that the transmitter is turned off or altered in any 9626  
manner without prior approval of the court in relation to the 9627  
electronic monitoring or without prior approval of the department 9628  
of rehabilitation and correction in relation to the use of an 9629  
electronic monitoring device for an inmate on transitional control 9630  
or otherwise is tampered with. 9631

(3) Any type of technology that can adequately track or 9632  
determine the location of a subject person at any time and that is 9633

approved by the director of rehabilitation and correction, 9634  
including, but not limited to, any satellite technology, voice 9635  
tracking system, or retinal scanning system that is so approved. 9636

**Sec. 2929.13.** (A) Except as provided in division (E), (F), or 9637  
(G) of this section and unless a specific sanction is required to 9638  
be imposed or is precluded from being imposed pursuant to law, a 9639  
court that imposes a sentence upon an offender for a felony may 9640  
impose any sanction or combination of sanctions on the offender 9641  
that are provided in sections 2929.14 to 2929.18 of the Revised 9642  
Code. The sentence shall not impose an unnecessary burden on state 9643  
or local government resources. 9644

If the offender is eligible to be sentenced to community 9645  
control sanctions, the court shall consider the appropriateness of 9646  
imposing a financial sanction pursuant to section 2929.18 of the 9647  
Revised Code or a sanction of community service pursuant to 9648  
section 2929.17 of the Revised Code as the sole sanction for the 9649  
offense. Except as otherwise provided in this division, if the 9650  
court is required to impose a mandatory prison term for the 9651  
offense for which sentence is being imposed, the court also may 9652  
impose a financial sanction pursuant to section 2929.18 of the 9653  
Revised Code but may not impose any additional sanction or 9654  
combination of sanctions under section 2929.16 or 2929.17 of the 9655  
Revised Code. 9656

If the offender is being sentenced for a fourth degree felony 9657  
OVI offense or for a third degree felony OVI offense, in addition 9658  
to the mandatory term of local incarceration or the mandatory 9659  
prison term required for the offense by division (G)(1) or (2) of 9660  
this section, the court shall impose upon the offender a mandatory 9661  
fine in accordance with division (B)(3) of section 2929.18 of the 9662  
Revised Code and may impose whichever of the following is 9663  
applicable: 9664

(1) For a fourth degree felony OVI offense for which sentence is imposed under division (G)(1) of this section, an additional community control sanction or combination of community control sanctions under section 2929.16 or 2929.17 of the Revised Code;

(2) For a third or fourth degree felony OVI offense for which sentence is imposed under division (G)(2) of this section, an additional prison term as described in division (D)(4) of section 2929.14 of the Revised Code.

(B)(1) Except as provided in division (B)(2), (E), (F), or (G) of this section, in sentencing an offender for a felony of the fourth or fifth degree, the sentencing court shall determine whether any of the following apply:

(a) In committing the offense, the offender caused physical harm to a person.

(b) In committing the offense, the offender attempted to cause or made an actual threat of physical harm to a person with a deadly weapon.

(c) In committing the offense, the offender attempted to cause or made an actual threat of physical harm to a person, and the offender previously was convicted of an offense that caused physical harm to a person.

(d) The offender held a public office or position of trust and the offense related to that office or position; the offender's position obliged the offender to prevent the offense or to bring those committing it to justice; or the offender's professional reputation or position facilitated the offense or was likely to influence the future conduct of others.

(e) The offender committed the offense for hire or as part of an organized criminal activity.

(f) The offense is a sex offense that is a fourth or fifth

degree felony violation of section 2907.03, 2907.04, 2907.05, 9695  
2907.22, 2907.31, 2907.321, 2907.322, 2907.323, or 2907.34 of the 9696  
Revised Code. 9697

(g) The offender at the time of the offense was serving, or 9698  
the offender previously had served, a prison term. 9699

(h) The offender committed the offense while under a 9700  
community control sanction, while on probation, or while released 9701  
from custody on a bond or personal recognizance. 9702

(i) The offender committed the offense while in possession of 9703  
a firearm. 9704

(2)(a) If the court makes a finding described in division 9705  
(B)(1)(a), (b), (c), (d), (e), (f), (g), (h), or (i) of this 9706  
section and if the court, after considering the factors set forth 9707  
in section 2929.12 of the Revised Code, finds that a prison term 9708  
is consistent with the purposes and principles of sentencing set 9709  
forth in section 2929.11 of the Revised Code and finds that the 9710  
offender is not amenable to an available community control 9711  
sanction, the court shall impose a prison term upon the offender. 9712

(b) Except as provided in division (E), (F), or (G) of this 9713  
section, if the court does not make a finding described in 9714  
division (B)(1)(a), (b), (c), (d), (e), (f), (g), (h), or (i) of 9715  
this section and if the court, after considering the factors set 9716  
forth in section 2929.12 of the Revised Code, finds that a 9717  
community control sanction or combination of community control 9718  
sanctions is consistent with the purposes and principles of 9719  
sentencing set forth in section 2929.11 of the Revised Code, the 9720  
court shall impose a community control sanction or combination of 9721  
community control sanctions upon the offender. 9722

(C) Except as provided in division (E), (F), or (G) of this 9723  
section, in determining whether to impose a prison term as a 9724  
sanction for a felony of the third degree or a felony drug offense 9725

that is a violation of a provision of Chapter 2925. of the Revised Code and that is specified as being subject to this division for purposes of sentencing, the sentencing court shall comply with the purposes and principles of sentencing under section 2929.11 of the Revised Code and with section 2929.12 of the Revised Code.

(D) Except as provided in division (E) or (F) of this section, for a felony of the first or second degree and for a felony drug offense that is a violation of any provision of Chapter 2925., 3719., or 4729. of the Revised Code for which a presumption in favor of a prison term is specified as being applicable, it is presumed that a prison term is necessary in order to comply with the purposes and principles of sentencing under section 2929.11 of the Revised Code. Notwithstanding the presumption established under this division, the sentencing court may impose a community control sanction or a combination of community control sanctions instead of a prison term on an offender for a felony of the first or second degree or for a felony drug offense that is a violation of any provision of Chapter 2925., 3719., or 4729. of the Revised Code for which a presumption in favor of a prison term is specified as being applicable if it makes both of the following findings:

(1) A community control sanction or a combination of community control sanctions would adequately punish the offender and protect the public from future crime, because the applicable factors under section 2929.12 of the Revised Code indicating a lesser likelihood of recidivism outweigh the applicable factors under that section indicating a greater likelihood of recidivism.

(2) A community control sanction or a combination of community control sanctions would not demean the seriousness of the offense, because one or more factors under section 2929.12 of the Revised Code that indicate that the offender's conduct was less serious than conduct normally constituting the offense are

applicable, and they outweigh the applicable factors under that 9758  
section that indicate that the offender's conduct was more serious 9759  
than conduct normally constituting the offense. 9760

(E)(1) Except as provided in division (F) of this section, 9761  
for any drug offense that is a violation of any provision of 9762  
Chapter 2925. of the Revised Code and that is a felony of the 9763  
third, fourth, or fifth degree, the applicability of a presumption 9764  
under division (D) of this section in favor of a prison term or of 9765  
division (B) or (C) of this section in determining whether to 9766  
impose a prison term for the offense shall be determined as 9767  
specified in section 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 9768  
2925.11, 2925.13, 2925.22, 2925.23, 2925.36, or 2925.37 of the 9769  
Revised Code, whichever is applicable regarding the violation. 9770

(2) If an offender who was convicted of or pleaded guilty to 9771  
a felony violates the conditions of a community control sanction 9772  
imposed for the offense solely by reason of producing positive 9773  
results on a drug test, the court, as punishment for the violation 9774  
of the sanction, shall not order that the offender be imprisoned 9775  
unless the court determines on the record either of the following: 9776

(a) The offender had been ordered as a sanction for the 9777  
felony to participate in a drug treatment program, in a drug 9778  
education program, or in narcotics anonymous or a similar program, 9779  
and the offender continued to use illegal drugs after a reasonable 9780  
period of participation in the program. 9781

(b) The imprisonment of the offender for the violation is 9782  
consistent with the purposes and principles of sentencing set 9783  
forth in section 2929.11 of the Revised Code. 9784

(F) Notwithstanding divisions (A) to (E) of this section, the 9785  
court shall impose a prison term or terms under sections 2929.02 9786  
to 2929.06, section 2929.14, or section 2971.03 of the Revised 9787  
Code and except as specifically provided in section 2929.20 or 9788



2967.191 of the Revised Code or when parole is authorized for the 9789  
offense under section 2967.13 of the Revised Code shall not reduce 9790  
the terms pursuant to section 2929.20, section 2967.193, or any 9791  
other provision of Chapter 2967. or Chapter 5120. of the Revised 9792  
Code for any of the following offenses: 9793

(1) Aggravated murder when death is not imposed or murder; 9794

(2) Any rape, regardless of whether force was involved and 9795  
regardless of the age of the victim, or an attempt to commit rape 9796  
if, had the offender completed the rape that was attempted, the 9797  
offender would have been subject to a sentence of life 9798  
imprisonment or life imprisonment without parole for the rape; 9799

(3) Gross sexual imposition or sexual battery, if the victim 9800  
is under thirteen years of age, if the offender previously was 9801  
convicted of or pleaded guilty to rape, the former offense of 9802  
felonious sexual penetration, gross sexual imposition, or sexual 9803  
battery, and if the victim of the previous offense was under 9804  
thirteen years of age; 9805

(4) A felony violation of section 2903.04, 2903.06, 2903.08, 9806  
2903.11, 2903.12, or 2903.13 of the Revised Code if the section 9807  
requires the imposition of a prison term; 9808

(5) A first, second, or third degree felony drug offense for 9809  
which section 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 9810  
2925.11, 2925.13, 2925.22, 2925.23, 2925.36, 2925.37, 3719.99, or 9811  
4729.99 of the Revised Code, whichever is applicable regarding the 9812  
violation, requires the imposition of a mandatory prison term; 9813

(6) Any offense that is a first or second degree felony and 9814  
that is not set forth in division (F)(1), (2), (3), or (4) of this 9815  
section, if the offender previously was convicted of or pleaded 9816  
guilty to aggravated murder, murder, any first or second degree 9817  
felony, or an offense under an existing or former law of this 9818  
state, another state, or the United States that is or was 9819

substantially equivalent to one of those offenses; 9820

(7) Any offense that is a third degree felony and that is 9821  
listed in division (DD)(1) of section 2929.01 of the Revised Code 9822  
if the offender previously was convicted of or pleaded guilty to 9823  
any offense that is listed in division (DD)(2)(a)(i) or (ii) of 9824  
section 2929.01 of the Revised Code; 9825

(8) Any offense, other than a violation of section 2923.12 of 9826  
the Revised Code, that is a felony, if the offender had a firearm 9827  
on or about the offender's person or under the offender's control 9828  
while committing the felony, with respect to a portion of the 9829  
sentence imposed pursuant to division (D)(1)(a) of section 2929.14 9830  
of the Revised Code for having the firearm; 9831

(9) Any offense of violence that is a felony, if the offender 9832  
wore or carried body armor while committing the felony offense of 9833  
violence, with respect to the portion of the sentence imposed 9834  
pursuant to division (D)(1)(d) of section 2929.14 of the Revised 9835  
Code for wearing or carrying the body armor; 9836

(10) Corrupt activity in violation of section 2923.32 of the 9837  
Revised Code when the most serious offense in the pattern of 9838  
corrupt activity that is the basis of the offense is a felony of 9839  
the first degree; 9840

(11) Any sexually violent offense for which the offender also 9841  
is convicted of or pleads guilty to a sexually violent predator 9842  
specification that was included in the indictment, count in the 9843  
indictment, or information charging the sexually violent offense; 9844

(12) A violation of division (A)(1) or (2) of section 2921.36 9845  
of the Revised Code, or a violation of division (C) of that 9846  
section involving an item listed in division (A)(1) or (2) of that 9847  
section, if the offender is an officer or employee of the 9848  
department of rehabilitation and correction. 9849

(G) Notwithstanding divisions (A) to (E) of this section, if 9850

an offender is being sentenced for a fourth degree felony OVI 9851  
offense or for a third degree felony OVI offense, the court shall 9852  
impose upon the offender a mandatory term of local incarceration 9853  
or a mandatory prison term in accordance with the following: 9854

(1) If the offender is being sentenced for a fourth degree 9855  
felony OVI offense, the court may impose upon the offender a 9856  
mandatory term of local incarceration of sixty days or one hundred 9857  
twenty days as specified in division (G)(1)(d) of section 4511.19 9858  
of the Revised Code. The court shall not reduce the term pursuant 9859  
to section 2929.20, 2967.193, or any other provision of the 9860  
Revised Code. The court that imposes a mandatory term of local 9861  
incarceration under this division shall specify whether the term 9862  
is to be served in a jail, a community-based correctional 9863  
facility, a halfway house, or an alternative residential facility, 9864  
and the offender shall serve the term in the type of facility 9865  
specified by the court. A mandatory term of local incarceration 9866  
imposed under division (G)(1) of this section is not subject to 9867  
extension under section 2967.11 of the Revised Code, to a period 9868  
of post-release control under section 2967.28 of the Revised Code, 9869  
or to any other Revised Code provision that pertains to a prison 9870  
term. 9871

(2) If the offender is being sentenced for a third degree 9872  
felony OVI offense, or if the offender is being sentenced for a 9873  
fourth degree felony OVI offense and the court does not impose a 9874  
mandatory term of local incarceration under division (G)(1) of 9875  
this section, the court shall impose upon the offender a mandatory 9876  
prison term of sixty days or one hundred twenty days as specified 9877  
in division (G)(1)(e) of section 4511.19 of the Revised Code. The 9878  
court shall not reduce the term pursuant to section 2929.20, 9879  
2967.193, or any other provision of the Revised Code. In no case 9880  
shall an offender who once has been sentenced to a mandatory term 9881  
of local incarceration pursuant to division (G)(1) of this section 9882

for a fourth degree felony OVI offense be sentenced to another 9883  
mandatory term of local incarceration under that division for any 9884  
violation of division (A) of section 4511.19 of the Revised Code. 9885  
The court shall not sentence the offender to a community control 9886  
sanction under section 2929.16 or 2929.17 of the Revised Code. The 9887  
department of rehabilitation and correction may place an offender 9888  
sentenced to a mandatory prison term under this division in an 9889  
intensive program prison established pursuant to section 5120.033 9890  
of the Revised Code if the department gave the sentencing judge 9891  
prior notice of its intent to place the offender in an intensive 9892  
program prison established under that section and if the judge did 9893  
not notify the department that the judge disapproved the 9894  
placement. Upon the establishment of the initial intensive program 9895  
prison pursuant to section 5120.033 of the Revised Code that is 9896  
privately operated and managed by a contractor pursuant to a 9897  
contract entered into under section 9.06 of the Revised Code, both 9898  
of the following apply: 9899

(a) The department of rehabilitation and correction shall 9900  
make a reasonable effort to ensure that a sufficient number of 9901  
offenders sentenced to a mandatory prison term under this division 9902  
are placed in the privately operated and managed prison so that 9903  
the privately operated and managed prison has full occupancy. 9904

(b) Unless the privately operated and managed prison has full 9905  
occupancy, the department of rehabilitation and correction shall 9906  
not place any offender sentenced to a mandatory prison term under 9907  
this division in any intensive program prison established pursuant 9908  
to section 5120.033 of the Revised Code other than the privately 9909  
operated and managed prison. 9910

(H) If an offender is being sentenced for a sexually oriented 9911  
offense committed on or after January 1, 1997, the judge shall 9912  
require the offender to submit to a DNA specimen collection 9913  
procedure pursuant to section 2901.07 of the Revised Code if 9914

either of the following applies: 9915

(1) The offense was a sexually violent offense, and the 9916  
offender also was convicted of or pleaded guilty to a sexually 9917  
violent predator specification that was included in the 9918  
indictment, count in the indictment, or information charging the 9919  
sexually violent offense. 9920

(2) The judge imposing sentence for the sexually oriented 9921  
offense determines pursuant to division (B) of section 2950.09 of 9922  
the Revised Code that the offender is a sexual predator. 9923

(I) If an offender is being sentenced for a sexually oriented 9924  
offense that is not a registration-exempt sexually oriented 9925  
offense or for a child-victim oriented offense committed on or 9926  
after January 1, 1997, the judge shall include in the sentence a 9927  
summary of the offender's ~~duty to register pursuant to section~~ 9928  
~~duties imposed under sections 2950.04 of the Revised Code, the~~ 9929  
~~offender's duty to provide notice of a change in residence address~~ 9930  
~~and register the new residence address pursuant to section,~~ 9931  
~~2950.041, 2950.05 of the Revised Code, the offender's duty to~~ 9932  
~~periodically verify the offender's current residence address~~ 9933  
~~pursuant to section, and 2950.06 of the Revised Code,~~ and the 9934  
duration of the duties. The judge shall inform the offender, at 9935  
the time of sentencing, of those duties and of their duration and, 9936  
if required under division (A)(2) of section 2950.03 of the 9937  
Revised Code, shall perform the duties specified in that section. 9938

(J)(1) Except as provided in division (J)(2) of this section, 9939  
when considering sentencing factors under this section in relation 9940  
to an offender who is convicted of or pleads guilty to an attempt 9941  
to commit an offense in violation of section 2923.02 of the 9942  
Revised Code, the sentencing court shall consider the factors 9943  
applicable to the felony category of the violation of section 9944  
2923.02 of the Revised Code instead of the factors applicable to 9945  
the felony category of the offense attempted. 9946

(2) When considering sentencing factors under this section in relation to an offender who is convicted of or pleads guilty to an attempt to commit a drug abuse offense for which the penalty is determined by the amount or number of unit doses of the controlled substance involved in the drug abuse offense, the sentencing court shall consider the factors applicable to the felony category that the drug abuse offense attempted would be if that drug abuse offense had been committed and had involved an amount or number of unit doses of the controlled substance that is within the next lower range of controlled substance amounts than was involved in the attempt.

(K) As used in this section, "drug abuse offense" has the same meaning as in section 2925.01 of the Revised Code.

**Sec. 2929.19.** (A)(1) The court shall hold a sentencing hearing before imposing a sentence under this chapter upon an offender who was convicted of or pleaded guilty to a felony and before resentencing an offender who was convicted of or pleaded guilty to a felony and whose case was remanded pursuant to section 2953.07 or 2953.08 of the Revised Code. At the hearing, the offender, the prosecuting attorney, the victim or the victim's representative in accordance with section 2930.14 of the Revised Code, and, with the approval of the court, any other person may present information relevant to the imposition of sentence in the case. The court shall inform the offender of the verdict of the jury or finding of the court and ask the offender whether the offender has anything to say as to why sentence should not be imposed upon the offender.

(2) Except as otherwise provided in this division, before imposing sentence on an offender who is being sentenced for a sexually oriented offense that was committed on or after January 1, 1997, that is not a registration-exempt sexually oriented

offense, and that is not a sexually violent offense, and before 9978  
imposing sentence on an offender who is being sentenced for a 9979  
sexually violent offense committed on or after January 1, 1997, 9980  
and who was not charged with a sexually violent predator 9981  
specification in the indictment, count in the indictment, or 9982  
information charging the sexually violent offense, and before 9983  
imposing sentence on or after May 7, 2002, on an offender who is 9984  
being sentenced for a sexually oriented offense that is not a 9985  
registration-exempt sexually oriented offense and who was 9986  
acquitted of a sexually violent predator specification included in 9987  
the indictment, count in the indictment, or information charging 9988  
the sexually oriented offense, the court shall conduct a hearing 9989  
in accordance with division (B) of section 2950.09 of the Revised 9990  
Code to determine whether the offender is a sexual predator. The 9991  
court shall not conduct a hearing under that division if the 9992  
offender is being sentenced for a sexually violent offense and, if 9993  
a sexually violent predator specification was included in the 9994  
indictment, count in the indictment, or information charging the 9995  
sexually violent offense, and if the offender was convicted of or 9996  
pleaded guilty to that sexually violent predator specification. 9997  
Before imposing sentence on an offender who is being sentenced for 9998  
a sexually oriented offense that is not a registration-exempt 9999  
sexually oriented offense, the court also shall comply with 10000  
division (E) of section 2950.09 of the Revised Code. 10001

Before imposing sentence on or after the effective date of 10002  
this amendment on an offender who is being sentenced for a 10003  
child-victim oriented offense, regardless of when the offense was 10004  
committed, the court shall conduct a hearing in accordance with 10005  
division (B) of section 2950.091 of the Revised Code to determine 10006  
whether the offender is a child-victim predator. Before imposing 10007  
sentence on an offender who is being sentenced for a child-victim 10008  
oriented offense, the court also shall comply with division (E) of 10009  
section 2950.091 of the Revised Code. 10010

(B)(1) At the sentencing hearing, the court, before imposing sentence, shall consider the record, any information presented at the hearing by any person pursuant to division (A) of this section, and, if one was prepared, the presentence investigation report made pursuant to section 2951.03 of the Revised Code or Criminal Rule 32.2, and any victim impact statement made pursuant to section 2947.051 of the Revised Code.

(2) The court shall impose a sentence and shall make a finding that gives its reasons for selecting the sentence imposed in any of the following circumstances:

(a) Unless the offense is a sexually violent offense for which the court is required to impose sentence pursuant to division (G) of section 2929.14 of the Revised Code, if it imposes a prison term for a felony of the fourth or fifth degree or for a felony drug offense that is a violation of a provision of Chapter 2925. of the Revised Code and that is specified as being subject to division (B) of section 2929.13 of the Revised Code for purposes of sentencing, its reasons for imposing the prison term, based upon the overriding purposes and principles of felony sentencing set forth in section 2929.11 of the Revised Code, and any factors listed in divisions (B)(1)(a) to (i) of section 2929.13 of the Revised Code that it found to apply relative to the offender.

(b) If it does not impose a prison term for a felony of the first or second degree or for a felony drug offense that is a violation of a provision of Chapter 2925. of the Revised Code and for which a presumption in favor of a prison term is specified as being applicable, its reasons for not imposing the prison term and for overriding the presumption, based upon the overriding purposes and principles of felony sentencing set forth in section 2929.11 of the Revised Code, and the basis of the findings it made under divisions (D)(1) and (2) of section 2929.13 of the Revised Code.



(c) If it imposes consecutive sentences under section 2929.14 of the Revised Code, its reasons for imposing the consecutive sentences;

(d) If the sentence is for one offense and it imposes a prison term for the offense that is the maximum prison term allowed for that offense by division (A) of section 2929.14 of the Revised Code, its reasons for imposing the maximum prison term;

(e) If the sentence is for two or more offenses arising out of a single incident and it imposes a prison term for those offenses that is the maximum prison term allowed for the offense of the highest degree by division (A) of section 2929.14 of the Revised Code, its reasons for imposing the maximum prison term.

(3) Subject to division (B)(4) of this section, if the sentencing court determines at the sentencing hearing that a prison term is necessary or required, the court shall do all of the following:

(a) Impose a stated prison term;

(b) Notify the offender that, as part of the sentence, the parole board may extend the stated prison term for certain violations of prison rules for up to one-half of the stated prison term;

(c) Notify the offender that the offender will be supervised under section 2967.28 of the Revised Code after the offender leaves prison if the offender is being sentenced for a felony of the first degree or second degree, for a felony sex offense, or for a felony of the third degree in the commission of which the offender caused or threatened to cause physical harm to a person;

(d) Notify the offender that the offender may be supervised under section 2967.28 of the Revised Code after the offender leaves prison if the offender is being sentenced for a felony of

the third, fourth, or fifth degree that is not subject to division 10073  
(B)(3)(c) of this section; 10074

(e) Notify the offender that, if a period of supervision is 10075  
imposed following the offender's release from prison, as described 10076  
in division (B)(3)(c) or (d) of this section, and if the offender 10077  
violates that supervision or a condition of post-release control 10078  
imposed under division (B) of section 2967.131 of the Revised 10079  
Code, the parole board may impose a prison term, as part of the 10080  
sentence, of up to one-half of the stated prison term originally 10081  
imposed upon the offender; 10082

(f) Require that the offender not ingest or be injected with 10083  
a drug of abuse and submit to random drug testing as provided in 10084  
section 341.26, 753.33, or 5120.63 of the Revised Code, whichever 10085  
is applicable to the offender who is serving a prison term, and 10086  
require that the results of the drug test administered under any 10087  
of those sections indicate that the offender did not ingest or was 10088  
not injected with a drug of abuse. 10089

(4) If the offender is being sentenced for a sexually violent 10090  
offense that the offender committed on or after January 1, 1997, 10091  
and the offender also is convicted of or pleads guilty to a 10092  
sexually violent predator specification that was included in the 10093  
indictment, count in the indictment, or information charging the 10094  
sexually violent offense, if the offender is being sentenced for a 10095  
sexually oriented offense that is not a registration-exempt 10096  
sexually oriented offense and that the offender committed on or 10097  
after January 1, 1997, and the court imposing the sentence has 10098  
determined pursuant to division (B) of section 2950.09 of the 10099  
Revised Code that the offender is a sexual predator, if the 10100  
offender is being sentenced on or after the effective date of this 10101  
amendment for a child-victim oriented offense and the court 10102  
imposing the sentence has determined pursuant to division (B) of 10103  
section 2950.091 of the Revised Code that the offender is a 10104

child-victim predator, or if the offender is being sentenced for 10105  
an aggravated sexually oriented offense as defined in section 10106  
2950.01 of the Revised Code ~~that the offender committed on or~~ 10107  
~~after June 13, 2002~~, the court shall include in the offender's 10108  
sentence a statement that the offender has been adjudicated ~~as~~ 10109  
~~being~~ a sexual predator, has been adjudicated a child victim 10110  
predator, or has been convicted of or pleaded guilty to an 10111  
aggravated sexually oriented offense, whichever is applicable, and 10112  
shall comply with the requirements of section 2950.03 of the 10113  
Revised Code. Additionally, in the circumstances described in 10114  
division (G) of section 2929.14 of the Revised Code, the court 10115  
shall impose sentence on the offender as described in that 10116  
division. 10117

(5) If the sentencing court determines at the sentencing 10118  
hearing that a community control sanction should be imposed and 10119  
the court is not prohibited from imposing a community control 10120  
sanction, the court shall impose a community control sanction. The 10121  
court shall notify the offender that, if the conditions of the 10122  
sanction are violated, if the offender commits a violation of any 10123  
law, or if the offender leaves this state without the permission 10124  
of the court or the offender's probation officer, the court may 10125  
impose a longer time under the same sanction, may impose a more 10126  
restrictive sanction, or may impose a prison term on the offender 10127  
and shall indicate the specific prison term that may be imposed as 10128  
a sanction for the violation, as selected by the court from the 10129  
range of prison terms for the offense pursuant to section 2929.14 10130  
of the Revised Code. 10131

(6) Before imposing a financial sanction under section 10132  
2929.18 of the Revised Code or a fine under section 2929.32 of the 10133  
Revised Code, the court shall consider the offender's present and 10134  
future ability to pay the amount of the sanction or fine. 10135

(7) If the sentencing court sentences the offender to a 10136

sanction of confinement pursuant to section 2929.14 or 2929.16 of 10137  
the Revised Code that is to be served in a local detention 10138  
facility, as defined in section 2929.36 of the Revised Code, and 10139  
if the local detention facility is covered by a policy adopted 10140  
pursuant to section 307.93, 341.14, 341.19, 341.21, 341.23, 10141  
753.02, 753.04, 753.16, 2301.56, or 2947.19 of the Revised Code 10142  
and section 2929.37 of the Revised Code, both of the following 10143  
apply: 10144

(a) The court shall specify both of the following as part of 10145  
the sentence: 10146

(i) If the offender is presented with an itemized bill 10147  
pursuant to section 2929.37 of the Revised Code for payment of the 10148  
costs of confinement, the offender is required to pay the bill in 10149  
accordance with that section. 10150

(ii) If the offender does not dispute the bill described in 10151  
division (B)(7)(a)(i) of this section and does not pay the bill by 10152  
the times specified in section 2929.37 of the Revised Code, the 10153  
clerk of the court may issue a certificate of judgment against the 10154  
offender as described in that section. 10155

(b) The sentence automatically includes any certificate of 10156  
judgment issued as described in division (B)(7)(a)(ii) of this 10157  
section. 10158

(C)(1) If the offender is being sentenced for a fourth degree 10159  
felony OVI offense under division (G)(1) of section 2929.13 of the 10160  
Revised Code, the court shall impose the mandatory term of local 10161  
incarceration in accordance with that division, shall impose a 10162  
mandatory fine in accordance with division (B)(3) of section 10163  
2929.18 of the Revised Code, and, in addition, may impose 10164  
additional sanctions as specified in sections 2929.15, 2929.16, 10165  
2929.17, and 2929.18 of the Revised Code. The court shall not 10166  
impose a prison term on the offender. 10167

(2) If the offender is being sentenced for a third or fourth degree felony OVI offense under division (G)(2) of section 2929.13 of the Revised Code, the court shall impose the mandatory prison term in accordance with that division, shall impose a mandatory fine in accordance with division (B)(3) of section 2929.18 of the Revised Code, and, in addition, may impose an additional prison term as specified in section 2929.14 of the Revised Code. The court shall not impose any community control sanction on the offender.

(D) The sentencing court, pursuant to division (K) of section 2929.14 of the Revised Code, may recommend placement of the offender in a program of shock incarceration under section 5120.031 of the Revised Code or an intensive program prison under section 5120.032 of the Revised Code, disapprove placement of the offender in a program or prison of that nature, or make no recommendation. If the court recommends or disapproves placement, it shall make a finding that gives its reasons for its recommendation or disapproval.

**Sec. 2929.23.** (A) If an offender is being sentenced for a sexually oriented offense that is a misdemeanor committed on or after January 1, 1997, and if the judge imposing sentence for the sexually oriented offense determines pursuant to division (B) of section 2950.09 of the Revised Code that the offender is a sexual predator, the judge shall include in the offender's sentence a statement that the offender has been adjudicated a sexual predator, shall comply with the requirements of section 2950.03 of the Revised Code, and shall require the offender to submit to a DNA specimen collection procedure pursuant to section 2901.07 of the Revised Code.

(B) Before imposing sentence on an offender who is being sentenced for a sexually oriented offense that is a misdemeanor,

that was committed on or after January 1, 1997, and that is not a registration-exempt sexually oriented offense, the judge shall conduct a hearing in accordance with division (B) of section 2950.09 of the Revised Code to determine whether the offender is a sexual predator. Before imposing sentence on an offender who is being sentenced for a sexually oriented offense that is not a registration-exempt sexually oriented offense, the court also shall comply with division (E) of section 2950.09 of the Revised Code.

Before imposing sentence on or after the effective date of this amendment on an offender who is being sentenced for a child-victim oriented offense that is a misdemeanor, regardless of when the offense was committed, the judge shall conduct a hearing in accordance with division (B) of section 2950.091 of the Revised Code to determine whether the offender is a child-victim predator. Before imposing sentence on an offender who is being sentenced for a child-victim oriented offense, the court also shall comply with division (E) of section 2950.091 of the Revised Code.

(C) If an offender is being sentenced for a sexually oriented offense that is not a registration-exempt sexually oriented offense or for a child-victim oriented offense that is a misdemeanor committed on or after January 1, 1997, the judge shall include in the sentence a summary of the offender's ~~duty to register pursuant to section~~ duties imposed under sections 2950.04 of the Revised Code, the offender's duty to provide notice of an intent to reside in a county if applicable pursuant to division (C) of section 2950.04 of the Revised Code, the offender's duty to provide notice of a change in residence address and register the new residence address pursuant to section, 2950.041, 2950.05 of the Revised Code, the offender's duty to periodically verify the offender's current residence address pursuant to section, and 2950.06 of the Revised Code, and the duration of the duties. The

judge shall inform the offender, at the time of sentencing, of 10231  
those duties and of their duration and, if required under division 10232  
(A)(2) of section 2950.03 of the Revised Code, shall perform the 10233  
duties specified in that section. 10234

**Sec. 2950.01.** As used in this chapter, unless the context 10235  
clearly requires otherwise: 10236

(A) "Confinement" includes, but is not limited to, a 10237  
community residential sanction imposed pursuant to section 2929.16 10238  
or 2929.26 of the Revised Code. 10239

(B) "Habitual sex offender" means, except when a juvenile 10240  
judge removes this classification pursuant to division (A)(2) of 10241  
section 2152.84 or division (C)(2) of section 2152.85 of the 10242  
Revised Code, a person to whom both of the following apply: 10243

(1) The person is convicted of or pleads guilty to a sexually 10244  
oriented offense that is not a registration-exempt sexually 10245  
oriented offense, or the person is adjudicated a delinquent child 10246  
for committing on or after January 1, 2002, a sexually oriented 10247  
offense that is not a registration-exempt sexually oriented 10248  
offense, was fourteen years of age or older at the time of 10249  
committing the offense, and is classified a juvenile sex offender 10250  
registrant based on that adjudication. 10251

(2) One of the following applies to the person: 10252

(a) Regarding a person who is an offender, the person 10253  
previously was convicted of or pleaded guilty to one or more 10254  
sexually oriented offenses or child-victim oriented offenses or 10255  
previously was adjudicated a delinquent child for committing one 10256  
or more sexually oriented offenses or child-victim oriented 10257  
offenses and was classified a juvenile ~~sex~~ offender registrant or 10258  
out-of-state juvenile ~~sex~~ offender registrant based on one or more 10259  
of those adjudications, regardless of when the offense was 10260

committed and regardless of the person's age at the time of 10261  
committing the offense. 10262

(b) Regarding a delinquent child, the person previously was 10263  
convicted of, pleaded guilty to, or was adjudicated a delinquent 10264  
child for committing one or more sexually oriented offenses or 10265  
child-victim oriented offenses, regardless of when the offense was 10266  
committed and regardless of the person's age at the time of 10267  
committing the offense. 10268

(C) "Prosecutor" has the same meaning as in section 2935.01 10269  
of the Revised Code. 10270

(D) "Sexually oriented offense" means any of the following: 10271

(1) Any of the following violations or offenses committed by 10272  
a person eighteen years of age or older: 10273

(a) Regardless of the age of the victim of the offense, a 10274  
violation of section 2907.02, 2907.03, ~~or~~ 2907.05, or 2907.07 of 10275  
the Revised Code; 10276

(b) Any of the following offenses involving a minor, in the 10277  
circumstances specified: 10278

(i) A violation of division (A)(4) of section 2905.01~~7~~ 10279  
~~2905.02, 2905.03, 2905.05,~~ or section 2907.04 ~~or former section~~ 10280  
~~2905.04, 2907.06, or 2907.08~~ of the Revised Code, when the victim 10281  
of the offense is under eighteen years of age; 10282

(ii) A violation of section 2907.21 of the Revised Code when 10283  
the person who is compelled, induced, procured, encouraged, 10284  
solicited, requested, or facilitated to engage in, paid or agreed 10285  
to be paid for, or allowed to engage in the sexual activity in 10286  
question is under eighteen years of age; 10287

(iii) A violation of division (A)(1) or (3) of section 10288  
2907.321 or 2907.322 of the Revised Code; 10289

(iv) A violation of division (A)(1) or (2) of section 10290



2907.323 of the Revised Code; 10291

(v) A violation of division (B)(5) of section 2919.22 of the Revised Code when the child who is involved in the offense is under eighteen years of age; 10292  
10293  
10294

(vi) A violation of division ~~(D) or (E)~~ of section ~~2907.07~~ of ~~the Revised Code~~ (A)(1), (2), (3), or (5) of section 2905.01, of section 2903.211, 2905.02, 2905.03, or 2905.05, or of former section 2905.04 of the Revised Code, when the victim of the offense is under eighteen years of age and the offense is committed with a sexual motivation. 10295  
10296  
10297  
10298  
10299  
10300

(c) Regardless of the age of the victim of the offense, a violation of section 2903.01, 2903.02, 2903.11, or 2905.01 of the Revised Code, or of division (A) of section 2903.04 of the Revised Code, that is committed with a ~~purpose to gratify the sexual needs or desires of the offender~~ motivation; 10301  
10302  
10303  
10304  
10305

(d) A sexually violent offense; 10306

(e) A violation of section 2907.06 or 2907.08 of the Revised Code when the victim of the offense is eighteen years of age or older, or a violation of section 2903.211 of the Revised Code when the victim of the offense is eighteen years of age or older and the offense is committed with a sexual motivation; 10307  
10308  
10309  
10310  
10311

(f) A violation of any former law of this state, any existing or former municipal ordinance or law of another state or the United States, ~~or~~ any existing or former law applicable in a military court or in an Indian tribal court, or any existing or former law of any nation other than the United States, that is or was substantially equivalent to any offense listed in division (D)(1)(a), (b), (c), ~~or (d)~~, or (e) of this section; 10312  
10313  
10314  
10315  
10316  
10317  
10318

~~(f)~~(g) An attempt to commit, conspiracy to commit, or complicity in committing any offense listed in division (D)(1)(a), (b), (c), (d), ~~or (e)~~, or (f) of this section. 10319  
10320  
10321

(2) An act committed by a person under eighteen years of age 10322  
that is any of the following: 10323

(a) Subject to division (D)(2)(~~h~~)(i) of this section, 10324  
regardless of the age of the victim of the violation, a violation 10325  
of section 2907.02, 2907.03, ~~or~~ 2907.05, or 2907.07 of the Revised 10326  
Code; 10327

(b) Subject to division (D)(2)(~~h~~)(i) of this section, any of 10328  
the following acts involving a minor in the circumstances 10329  
specified: 10330

(i) A violation of division (A)(4) of section 2905.01 or 10331  
2905.02 section 2907.06 or 2907.08 of the Revised Code, ~~or of~~ 10332  
~~former section 2905.04 of the Revised Code,~~ when the victim of the 10333  
violation is under eighteen years of age; 10334

(ii) A violation of section 2907.21 of the Revised Code when 10335  
the person who is compelled, induced, procured, encouraged, 10336  
solicited, requested, or facilitated to engage in, paid or agreed 10337  
to be paid for, or allowed to engage in the sexual activity in 10338  
question is under eighteen years of age; 10339

(iii) A violation of division (B)(5) of section 2919.22 of 10340  
the Revised Code when the child who is involved in the violation 10341  
is under eighteen years of age; 10342

(iv) A violation of division (A)(1), (2), (3), or (5) of 10343  
section 2905.01, section 2903.211, or former section 2905.04 of 10344  
the Revised Code, when the victim of the violation is under 10345  
eighteen years of age and the offense is committed with a sexual 10346  
motivation. 10347

(c) Subject to division (D)(2)(~~h~~)(i) of this section, any 10348  
sexually violent offense that, if committed by an adult, would be 10349  
a felony of the first, second, third, or fourth degree; 10350

(d) Subject to division (D)(2)(~~h~~)(i) of this section, a 10351

violation of section 2903.01, 2903.02, 2903.11, 2905.01, or 10352  
2905.02 of the Revised Code, a violation of division (A) of 10353  
section 2903.04 of the Revised Code, or an attempt to violate any 10354  
of those sections or that division that is committed with a 10355  
~~purpose to gratify the sexual needs or desires of the child~~ 10356  
~~committing the violation~~ motivation; 10357

(e) Subject to division (D)(2)~~(h)~~(i) of this section, a 10358  
violation of division (A)(1) or (3) of section 2907.321, division 10359  
(A)(1) or (3) of section 2907.322, or division (A)(1) or (2) of 10360  
section 2907.323 of the Revised Code, or an attempt to violate any 10361  
of those divisions, if the person who violates or attempts to 10362  
violate the division is four or more years older than the minor 10363  
who is the victim of the violation; 10364

(f) Subject to division (D)(2)(i) of this section, a 10365  
violation of section 2907.06 or 2907.08 of the Revised Code when 10366  
the victim of the violation is eighteen years of age or older, or 10367  
a violation of section 2903.211 of the Revised Code when the 10368  
victim of the violation is eighteen years of age or older and the 10369  
offense is committed with a sexual motivation; 10370

(g) Subject to division (D)(2)~~(h)~~(i) of this section, any 10371  
violation of any former law of this state, any existing or former 10372  
municipal ordinance or law of another state or the United States, 10373  
~~or~~ any existing or former law applicable in a military court or in 10374  
an Indian tribal court, or any existing or former law of any 10375  
nation other than the United States, that is or was substantially 10376  
equivalent to any offense listed in division (D)(2)(a), (b), (c), 10377  
(d), ~~or~~ (e), or (f) of this section and that, if committed by an 10378  
adult, would be a felony of the first, second, third, or fourth 10379  
degree; 10380

~~(g)~~(h) Subject to division (D)(2)~~(h)~~(i) of this section, any 10381  
attempt to commit, conspiracy to commit, or complicity in 10382  
committing any offense listed in division (D)(2)(a), (b), (c), 10383

(d), (e), ~~or~~ (f), or (g) of this section; 10384

~~(h)~~(i) If the child's case has been transferred for criminal 10385  
prosecution under section 2152.12 of the Revised Code, the act is 10386  
any violation listed in division (D)(1)(a), (b), (c), (d), (e), ~~or~~ 10387  
(f), or (g) of this section or would be any offense listed in any 10388  
of those divisions if committed by an adult. 10389

(E) "Sexual predator" means a person to whom either of the 10390  
following applies: 10391

(1) The person has been convicted of or pleaded guilty to 10392  
committing a sexually oriented offense that is not a 10393  
registration-exempt sexually oriented offense and is likely to 10394  
engage in the future in one or more sexually oriented offenses. 10395

(2) The person has been adjudicated a delinquent child for 10396  
committing a sexually oriented offense that is not a 10397  
registration-exempt sexually oriented offense, was fourteen years 10398  
of age or older at the time of committing the offense, was 10399  
classified a juvenile ~~sex~~ offender registrant based on that 10400  
adjudication, and is likely to engage in the future in one or more 10401  
sexually oriented offenses. 10402

(F) "Supervised release" means a release of an offender from 10403  
a prison term, a term of imprisonment, or another type of 10404  
confinement that satisfies either of the following conditions: 10405

(1) The release is on parole, a conditional pardon, under a 10406  
community control sanction, under transitional control, or under a 10407  
post-release control sanction, and it requires the person to 10408  
report to or be supervised by a parole officer, probation officer, 10409  
field officer, or another type of supervising officer. 10410

(2) The release is any type of release that is not described 10411  
in division (F)(1) of this section and that requires the person to 10412  
report to or be supervised by a probation officer, a parole 10413  
officer, a field officer, or another type of supervising officer. 10414

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

(1) The offender is convicted of or pleads guilty to committing, on or after January 1, 1997, a sexually oriented offense that is a sexually violent offense and that is not a registration-exempt sexually oriented 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 that is not a registration-exempt 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 that is not a registration-exempt 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 section 2152.82, 2152.83, 2152.84, or 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 that is not a registration-exempt sexually oriented

offense, the offender is imprisoned in a state correctional 10446  
institution on or after January 1, 1997, and the court determines 10447  
pursuant to division (C) of section 2950.09 of the Revised Code 10448  
that the offender is a sexual predator. 10449

(5) Regardless of when the sexually oriented offense was 10450  
committed, the offender or delinquent child is convicted of or 10451  
pleads guilty to, has been convicted of or pleaded guilty to, or 10452  
is adjudicated a delinquent child for committing a sexually 10453  
oriented offense that is not a registration-exempt sexually 10454  
oriented offense in another state ~~or~~, in a federal court, military 10455  
court, or ~~an~~ Indian tribal court, or in a court in any nation 10456  
other than the United States, as a result of that conviction, plea 10457  
of guilty, or adjudication, the offender or delinquent child is 10458  
required, under the law of the jurisdiction in which the offender 10459  
was convicted or pleaded guilty or the delinquent child was 10460  
adjudicated, to register as a sex offender until the offender's or 10461  
delinquent child's death ~~and to verify the offender's or~~ 10462  
~~delinquent child's address on at least a quarterly basis each~~ 10463  
~~year~~, and, on or after July 1, 1997, for offenders or January 1, 10464  
2002, for delinquent children, the offender or delinquent child 10465  
moves to and resides in this state or temporarily is domiciled in 10466  
this state for more than ~~seven~~ five days or the offender is 10467  
required under section 2950.04 of the Revised Code to register a 10468  
school, institution of higher education, or place of employment 10469  
address in this state, unless a court of common pleas or juvenile 10470  
court determines that the offender or delinquent child is not a 10471  
sexual predator pursuant to division (F) of section 2950.09 of the 10472  
Revised Code. 10473

(H) "Sexually violent predator specification," and "sexually 10474  
violent offense," "sexual motivation," and "violent sex offense" 10475  
have the same meanings as in section 2971.01 of the Revised Code. 10476

(I) "Post-release control sanction" and "transitional 10477

control" have the same meanings as in section 2967.01 of the Revised Code.

(J) "Juvenile ~~sex~~ offender registrant" means a person who is adjudicated a delinquent child for committing on or after January 1, 2002, a sexually oriented offense that is not a registration-exempt sexually oriented offense or a child-victim oriented offense, who is fourteen years of age or older at the time of committing the offense, and who a juvenile court judge, pursuant to an order issued under section 2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code, classifies a juvenile ~~sex~~ offender registrant and specifies has a duty to ~~register under section~~ comply with sections 2950.04, 2950.05, and 2950.06 of the Revised Code if the child committed a sexually oriented offense or with sections 2950.041, 2950.05, and 2950.06 of the Revised Code if the child committed a child-victim oriented offense. "Juvenile offender registrant" includes a person who, prior to the effective date of this amendment, was a "juvenile sex offender registrant" under the former definition of that former term.

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

(L) "Out-of-state juvenile ~~sex~~ offender registrant" means a person who is adjudicated a delinquent child ~~for committing a sexually oriented offense in a court in another state or, in a federal court, military court, or Indian tribal court, or in a court in any nation other than the United States for committing a sexually oriented offense that is not a registration-exempt sexually oriented offense or a child-victim oriented offense~~, who on or after January 1, 2002, moves to and resides in this state or

temporarily is domiciled in this state for more than ~~seven~~ five 10510  
days, and who has a duty under section 2950.04 of the Revised Code 10511  
~~has a duty to register in this state as described in that section~~ 10512  
and the duty to otherwise comply with that section and sections 10513  
2950.05 and 2950.06 of the Revised Code if the child committed a 10514  
sexually oriented offense or has a duty under section 2950.041 of 10515  
the Revised Code to register in this state and the duty to 10516  
otherwise comply with that section and sections 2950.05 and 10517  
2950.06 of the Revised Code if the child committed a child-victim 10518  
oriented offense. "Out-of-state juvenile offender registrant" 10519  
includes a person who, prior to the effective date of this 10520  
amendment, was an "out-of-state juvenile sex offender registrant" 10521  
under the former definition of that former term. 10522

(M) "Juvenile court judge" includes a magistrate to whom the 10523  
juvenile court judge confers duties pursuant to division (A)(15) 10524  
of section 2151.23 of the Revised Code. 10525

(N) "Adjudicated a delinquent child for committing a sexually 10526  
oriented offense" includes a child who receives a serious youthful 10527  
offender dispositional sentence under section 2152.13 of the 10528  
Revised Code for committing a sexually oriented offense. 10529

(O) "Aggravated sexually oriented offense" means a violation 10530  
of division (A)(1)(b) of section 2907.02 of the Revised Code 10531  
committed on or after June 13, 2002, or a violation of division 10532  
(A)(2) of that section committed on or after the effective date of 10533  
this amendment. 10534

(P)(1) "Presumptive registration-exempt sexually oriented 10535  
offense" means any of the following sexually oriented offenses 10536  
described in division (P)(1)(a), (b), (c), (d), or (e) of this 10537  
section, when the offense is committed by a person who previously 10538  
has not been convicted of, pleaded guilty to, or adjudicated a 10539  
delinquent child for committing any sexually oriented offense 10540  
described in division (P)(1)(a), (b), (c), (d), or (e) of this 10541



section, any other sexually oriented offense, or any child-victim 10542  
oriented offense and when the victim or intended victim of the 10543  
offense is eighteen years of age or older: 10544

(a) Any sexually oriented offense listed in division 10545  
(D)(1)(e) or (D)(2)(f) of this section committed by a person who 10546  
is eighteen years of age or older or, subject to division 10547  
(P)(1)(e) of this section, committed by a person who is under 10548  
eighteen years of age; 10549

(b) Any violation of any former law of this state, any 10550  
existing or former municipal ordinance or law of another state or 10551  
the United States, any existing or former law applicable in a 10552  
military court or in an Indian tribal court, or any existing or 10553  
former law of any nation other than the United States that is 10554  
committed by a person who is eighteen years of age or older and 10555  
that is or was substantially equivalent to any sexually oriented 10556  
offense listed in division (P)(1)(a) of this section; 10557

(c) Subject to division (P)(1)(e) of this section, any 10558  
violation of any former law of this state, any existing or former 10559  
municipal ordinance or law of another state or the United States, 10560  
any existing or former law applicable in a military court or in an 10561  
Indian tribal court, or any existing or former law of any nation 10562  
other than the United States that is committed by a person who is 10563  
under eighteen years of age, that is or was substantially 10564  
equivalent to any sexually oriented offense listed in division 10565  
(P)(1)(a) of this section, and that would be a felony of the 10566  
fourth degree if committed by an adult; 10567

(d) Any attempt to commit, conspiracy to commit, or 10568  
complicity in committing any offense listed in division (P)(1)(a) 10569  
or (b) of this section if the person is eighteen years of age or 10570  
older or, subject to division (P)(1)(e) of this section, listed in 10571  
division (P)(1)(a) or (c) of this section if the person is under 10572  
eighteen years of age. 10573

(e) Regarding an act committed by a person under eighteen years of age, if the child's case has been transferred for criminal prosecution under section 2152.12 of the Revised Code, the act is any sexually oriented offense listed in division (P)(1)(a), (b), or (d) of this section. 10574  
10575  
10576  
10577  
10578

(2) "Presumptive registration-exempt sexually oriented offense" does not include any sexually oriented offense described in division (P)(1)(a), (b), (c), (d), or (e) of this section that is committed by a person who previously has been convicted of, pleaded guilty to, or adjudicated a delinquent child for committing any sexually oriented offense described in division (P)(1)(a), (b), (c), (d), or (e) of this section or any other sexually oriented offense. 10579  
10580  
10581  
10582  
10583  
10584  
10585  
10586

(O)(1) "Registration-exempt sexually oriented offense" means any presumptive registration-exempt sexually oriented offense, if a court does not issue an order under section 2950.021 of the Revised Code that removes the presumptive exemption and subjects the offender who was convicted of or pleaded guilty to the offense to registration under section 2950.04 of the Revised Code and all other duties and responsibilities generally imposed under this chapter upon persons who are convicted of or plead guilty to any sexually oriented offense other than a presumptive registration-exempt sexually oriented offense or that removes the presumptive exemption and potentially subjects the child who was adjudicated a delinquent child for committing the offense to classification as a juvenile offender registrant under sections 2152.82, 2152.83, 2152.84, or 2152.85 of the Revised Code and to registration under section 2950.04 of the Revised Code and all other duties and responsibilities generally imposed under this chapter upon persons who are adjudicated delinquent children for committing a sexually oriented offense other than a presumptive registration-exempt sexually oriented offense. 10587  
10588  
10589  
10590  
10591  
10592  
10593  
10594  
10595  
10596  
10597  
10598  
10599  
10600  
10601  
10602  
10603  
10604  
10605

(2) "Registration-exempt sexually oriented offense" does not include a presumptive registration-exempt sexually oriented offense if a court issues an order under section 2950.021 of the Revised Code that removes the presumptive exemption and subjects the offender or potentially subjects the delinquent child to the duties and responsibilities described in division (O)(1) of this section. 10606  
10607  
10608  
10609  
10610  
10611  
10612

(R) "School" and "school premises" have the same meanings as in section 2925.01 of the Revised Code. 10613  
10614

(S)(1) "Child-victim oriented offense" means any of the following: 10615  
10616

(a) Subject to division (S)(2) of this section, any of the following violations or offenses committed by a person eighteen years of age or older, when the victim of the violation is under eighteen years of age and is not a child of the person who commits the violation: 10617  
10618  
10619  
10620  
10621

(i) A violation of division (A)(1), (2), (3), or (5) of section 2905.01, of section 2905.02, 2905.03, or 2905.05, or of former section 2905.04 of the Revised Code; 10622  
10623  
10624

(ii) A violation of any former law of this state, any existing or former municipal ordinance or law of another state or the United States, any existing or former law applicable in a military court or in an Indian tribal court, or any existing or former law of any nation other than the United States, that is or was substantially equivalent to any offense listed in division (S)(1)(a)(i) of this section; 10625  
10626  
10627  
10628  
10629  
10630  
10631

(iii) An attempt to commit, conspiracy to commit, or complicity in committing any offense listed in division (S)(1)(a)(i) or (ii) of this section. 10632  
10633  
10634

(b) Subject to division (S)(2) of this section, an act 10635

committed by a person under eighteen years of age that is any of 10636  
the following, when the victim of the violation is under eighteen 10637  
years of age and is not a child of the person who commits the 10638  
violation: 10639

(i) Subject to division (S)(1)(b)(iv) of this section, a 10640  
violation of division (A)(1), (2), (3), or (5) of section 2905.01 10641  
or of former section 2905.04 of the Revised Code; 10642

(ii) Subject to division (S)(1)(b)(iv) of this section, any 10643  
violation of any former law of this state, any existing or former 10644  
municipal ordinance or law of another state or the United States, 10645  
any existing or former law applicable in a military court or in an 10646  
Indian tribal court, or any existing or former law of any nation 10647  
other than the United States, that is or was substantially 10648  
equivalent to any offense listed in division (S)(1)(b)(i) of this 10649  
section and that, if committed by an adult, would be a felony of 10650  
the first, second, third, or fourth degree; 10651

(iii) Subject to division (S)(1)(b)(iv) of this section, any 10652  
attempt to commit, conspiracy to commit, or complicity in 10653  
committing any offense listed in division (S)(1)(b)(i) or (ii) of 10654  
this section; 10655

(iv) If the child's case has been transferred for criminal 10656  
prosecution under section 2152.12 of the Revised Code, the act is 10657  
any violation listed in division (S)(1)(a)(i), (ii), or (iii) of 10658  
this section or would be any offense listed in any of those 10659  
divisions if committed by an adult. 10660

(2) "Child-victim oriented offense" does not include any 10661  
offense identified in division (S)(1)(a) or (b) of this section 10662  
that is a sexually violent offense. An offense identified in 10663  
division (S)(1)(a) or (b) of this section that is a sexually 10664  
violent offense is within the definition of a sexually oriented 10665  
offense. 10666

(T)(1) "Habitual child-victim offender" means, 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 to whom both of the following apply:

(a) The person is convicted of or pleads guilty to a child-victim oriented offense, or the person is adjudicated a delinquent child for committing on or after January 1, 2002, a child-victim oriented offense, was fourteen years of age or older at the time of committing the offense, and is classified a juvenile offender registrant based on that adjudication.

(b) One of the following applies to the person:

(i) Regarding a person who is an offender, the person previously was convicted of or pleaded guilty to one or more child-victim oriented offenses or previously was adjudicated a delinquent child for committing one or more child-victim oriented offenses and was classified a juvenile offender registrant or out-of-state juvenile offender registrant based on one or more of those adjudications, regardless of when the offense was committed and regardless of the person's age at the time of committing the offense.

(ii) Regarding a delinquent child, the person previously was convicted of, pleaded guilty to, or was adjudicated a delinquent child for committing one or more child-victim oriented offenses, regardless of when the offense was committed and regardless of the person's age at the time of committing the offense.

(2) "Habitual child-victim offender" includes a person who has been convicted of, pleaded guilty to, or adjudicated a delinquent child for committing, a child-victim oriented offense and who, on and after the effective date of this amendment, is automatically classified a habitual child-victim offender pursuant to division (E) of section 2950.091 of the Revised Code.

(U) "Child-victim predator" means a person to whom either of 10698  
the following applies: 10699

(1) The person has been convicted of or pleaded guilty to 10700  
committing a child-victim oriented offense and is likely to engage 10701  
in the future in one or more child-victim oriented offenses. 10702

(2) The person has been adjudicated a delinquent child for 10703  
committing a child-victim oriented offense, was fourteen years of 10704  
age or older at the time of committing the offense, was classified 10705  
a juvenile offender registrant based on that adjudication, and is 10706  
likely to engage in the future in one or more child-victim 10707  
oriented offenses. 10708

(V) An offender or delinquent child is "adjudicated as being 10709  
a child-victim predator" or "adjudicated a child-victim predator" 10710  
if any of the following applies and if, regarding a delinquent 10711  
child, that status has not been removed pursuant to section 10712  
2152.84, 2152.85, or 2950.09 of the Revised Code: 10713

(1) The offender or delinquent child has been convicted of, 10714  
pleaded guilty to, or adjudicated a delinquent child for 10715  
committing, a child-victim oriented offense and, on and after the 10716  
effective date of this amendment, is automatically classified a 10717  
child-victim predator pursuant to division (A) of section 2950.091 10718  
of the Revised Code. 10719

(2) Regardless of when the child-victim oriented offense was 10720  
committed, on or after the effective date of this amendment, the 10721  
offender is sentenced for a child-victim oriented offense, and the 10722  
sentencing judge determines pursuant to division (B) of section 10723  
2950.091 of the Revised Code that the offender is a child-victim 10724  
predator. 10725

(3) The delinquent child is adjudicated a delinquent child 10726  
for committing a child-victim oriented offense, was fourteen years 10727  
of age or older at the time of committing the offense, and has 10728

been classified a juvenile offender registrant based on that 10729  
adjudication, and the adjudicating judge or that judge's successor 10730  
in office determines pursuant to division (B) of section 2950.09 10731  
or pursuant to section 2152.82, 2152.83, 2152.84, or 2152.85 of 10732  
the Revised Code that the delinquent child is a child-victim 10733  
predator. 10734

(4) Prior to the effective date of this section, the offender 10735  
was convicted of or pleaded guilty to a child-victim oriented 10736  
offense, at the time of the conviction or guilty plea, the offense 10737  
was considered a sexually oriented offense, on or after the 10738  
effective date of this amendment, the offender is serving a term 10739  
of imprisonment in a state correctional institution, and the court 10740  
determines pursuant to division (C) of section 2950.091 of the 10741  
Revised Code that the offender is a child-victim predator. 10742

(5) Regardless of when the child-victim oriented offense was 10743  
committed, the offender or delinquent child is convicted, pleads 10744  
guilty, has been convicted, pleaded guilty, or adjudicated a 10745  
delinquent child in a court in another state, in a federal court, 10746  
military court, or Indian tribal court, or in a court in any 10747  
nation other than the United States for committing a child-victim 10748  
oriented offense, as a result of that conviction, plea of guilty, 10749  
or adjudication, the offender or delinquent child is required 10750  
under the law of the jurisdiction in which the offender was 10751  
convicted or pleaded guilty or the delinquent child was 10752  
adjudicated, to register as a child-victim offender or sex 10753  
offender until the offender's or delinquent child's death, and, on 10754  
or after July 1, 1997, for offenders or January 1, 2002, for 10755  
delinquent children the offender or delinquent child moves to and 10756  
resides in this state or temporarily is domiciled in this state 10757  
for more than five days or the offender is required under section 10758  
2950.041 of the Revised Code to register a school, institution of 10759  
higher education, or place of employment address in this state, 10760

unless a court of common pleas or juvenile court determines that 10761  
the offender or delinquent child is not a child-victim predator 10762  
pursuant to division (F) of section 2950.091 of the Revised Code. 10763

(W) "Residential premises" means the building in which a 10764  
residential unit is located and the grounds upon which that 10765  
building stands, extending to the perimeter of the property. 10766  
"Residential premises" includes any type of structure in which a 10767  
residential unit is located, including, but not limited to, 10768  
multi-unit buildings and mobile and manufactured homes. 10769

(X) "Residential unit" means a dwelling unit for residential 10770  
use and occupancy, and includes the structure or part of a 10771  
structure that is used as a home, residence, or sleeping place by 10772  
one person who maintains a household or two or more persons who 10773  
maintain a common household. 10774

(Y) "Multi-unit building" means a building in which is 10775  
located more than twelve residential units that have entry doors 10776  
that open directly into the unit from a hallway that is shared 10777  
with one or more other units. A residential unit is not considered 10778  
located in a multi-unit building if the unit does not have an 10779  
entry door that opens directly into the unit from a hallway that 10780  
is shared with one or more other units or if the unit is in a 10781  
building that is not a multi-unit building as described in this 10782  
division. 10783

(Z) "Community control sanction" has the same meaning as in 10784  
section 2929.01 of the Revised Code. 10785

**Sec. 2950.99.** (A) ~~Whoever~~ (1)(a) Except as otherwise provided 10786  
in division (A)(1)(b) of this section, whoever violates a 10787  
prohibition in section 2950.04, ~~2950.041~~, 2950.05, or 2950.06 of 10788  
the Revised Code is guilty of a felony of the fifth degree if 10789  
shall be punished as follows: 10790



(i) If the most serious sexually oriented offense or child-victim oriented offense that was the basis of the registration, notice of intent to reside, change of address notification, or address verification requirement that was violated under the prohibition is aggravated murder, murder, or a felony of the first, second, or third degree if committed by an adult, the offender is guilty of a felony of the third degree. 10791  
10792  
10793  
10794  
10795  
10796  
10797

(ii) If the most serious sexually oriented offense or child-victim oriented offense that was the basis of the registration, notice of intent to reside, change of address notification, or address verification requirement that was violated under the prohibition is a felony of the fourth or fifth degree if committed by an adult, and a misdemeanor of the first degree or if the most serious sexually oriented offense or child-victim oriented offense that was the basis of the registration, notice of intent to reside, change of address notification, or address verification requirement that was violated under the prohibition is a misdemeanor if committed by an adult. In, the offender is guilty of a felony of the same degree or a misdemeanor of the same degree as the most serious sexually oriented offense or child-victim oriented offense that was the basis of the registration, notice of intent to reside, change of address, or address verification requirement that was violated under the prohibition. 10798  
10799  
10800  
10801  
10802  
10803  
10804  
10805  
10806  
10807  
10808  
10809  
10810  
10811  
10812  
10813  
10814

(b) If the offender previously has been convicted of or pleaded guilty to, or previously has been adjudicated a delinquent child for committing, a violation of a prohibition in section 2950.04, 2950.041, 2950.05, or 2950.06 of the Revised Code, whoever violates a prohibition in section 2950.04, 2950.041, 2950.05, or 2950.06 of the Revised Code shall be punished as follows: 10815  
10816  
10817  
10818  
10819  
10820  
10821

(i) If the most serious sexually oriented offense or 10822

child-victim oriented offense that was the basis of the 10823  
registration, notice of intent to reside, change of address 10824  
notification, or address verification requirement that was 10825  
violated under the prohibition is aggravated murder, murder, or a 10826  
felony of the first, second, third, or fourth degree if committed 10827  
by an adult, the offender is guilty of a felony of the third 10828  
degree. 10829

(ii) If the most serious sexually oriented offense or 10830  
child-victim oriented offense that was the basis of the 10831  
registration, notice of intent to reside, change of address 10832  
notification, or address verification requirement that was 10833  
violated under the prohibition is a felony of the fifth degree if 10834  
committed by an adult, the offender is guilty of a felony of the 10835  
fourth degree. 10836

(iii) If the most serious sexually oriented offense or 10837  
child-victim oriented offense that was the basis of the 10838  
registration, notice of intent to reside, change of address 10839  
notification, or address verification requirement that was 10840  
violated under the prohibition is a misdemeanor of the first 10841  
degree if committed by an adult, the offender is guilty of a 10842  
felony of the fifth degree. 10843

(iv) If the most serious sexually oriented offense or 10844  
child-victim oriented offense that was the basis of the 10845  
registration, notice of intent to reside, change of address 10846  
notification, or address verification requirement that was 10847  
violated under the prohibition is a misdemeanor other than a 10848  
misdemeanor of the first degree if committed by an adult, the 10849  
offender is guilty of a misdemeanor that is one degree higher than 10850  
the most serious sexually oriented offense or child-victim 10851  
oriented offense that was the basis of the registration, change of 10852  
address, or address verification requirement that was violated 10853  
under the prohibition. 10854

(2) In addition to any penalty or sanction imposed under 10855  
division (A)(1) of this section or any other provision of law for 10856  
the a violation of a prohibition in section 2950.04, 2950.041, 10857  
2950.05, or 2950.06 of the Revised Code, if the offender or 10858  
delinquent child is subject to a community control sanction, is on 10859  
parole, is subject to one or more post-release control sanctions, 10860  
or is subject to any other type of supervised release at the time 10861  
of the violation, the violation shall constitute a violation of 10862  
the terms and conditions of the community control sanction, 10863  
parole, post-release control sanction, or other type of supervised 10864  
release. 10865

(B) If a person violates a prohibition in section 2950.04, 10866  
2950.041, 2950.05, or 2950.06 of the Revised Code that applies to 10867  
the person as a result of the person being adjudicated a 10868  
delinquent child and being classified a juvenile ~~sex~~ offender 10869  
registrant or ~~is~~ as an out-of-state juvenile ~~sex~~ offender 10870  
registrant, both of the following apply: 10871

(1) If the violation occurs while the person is under 10872  
eighteen years of age, the person is subject to proceedings under 10873  
Chapter 2152. of the Revised Code based on the violation. 10874

(2) If the violation occurs while the person is eighteen 10875  
years of age or older, the person is subject to criminal 10876  
prosecution based on the violation. 10877

(C) Whoever violates division (C) of section 2950.13 of the 10878  
Revised Code is guilty of a misdemeanor of the first degree. 10879

**Sec. 5321.01.** As used in this chapter: 10880

(A) "Tenant" means a person entitled under a rental agreement 10881  
to the use and occupancy of residential premises to the exclusion 10882  
of others. 10883

(B) "Landlord" means the owner, lessor, or sublessor of 10884

residential premises, the agent of the owner, lessor, or 10885  
sublessor, or any person authorized by the owner, lessor, or 10886  
sublessor to manage the premises or to receive rent from a tenant 10887  
under a rental agreement. 10888

(C) "Residential premises" means a dwelling unit for 10889  
residential use and occupancy and the structure of which it is a 10890  
part, the facilities and appurtenances in it, and the grounds, 10891  
areas, and facilities for the use of tenants generally or the use 10892  
of which is promised the tenant. "Residential premises" includes a 10893  
dwelling unit that is owned or operated by a college or 10894  
university. "Residential premises" does not include any of the 10895  
following: 10896

(1) Prisons, jails, workhouses, and other places of 10897  
incarceration or correction, including, but not limited to, 10898  
halfway houses or residential arrangements that are used or 10899  
occupied as a requirement of a community control sanction, a 10900  
post-release control sanction, or parole; 10901

(2) Hospitals and similar institutions with the primary 10902  
purpose of providing medical services, and homes licensed pursuant 10903  
to Chapter 3721. of the Revised Code; 10904

(3) Tourist homes, hotels, motels, recreational vehicle 10905  
parks, recreation camps, combined park-camps, temporary 10906  
park-camps, and other similar facilities where circumstances 10907  
indicate a transient occupancy; 10908

(4) Elementary and secondary boarding schools, where the cost 10909  
of room and board is included as part of the cost of tuition; 10910

(5) Orphanages and similar institutions; 10911

(6) Farm residences furnished in connection with the rental 10912  
of land of a minimum of two acres for production of agricultural 10913  
products by one or more of the occupants; 10914

(7) Dwelling units subject to sections 3733.41 to 3733.49 of the Revised Code;	10915 10916
(8) Occupancy by an owner of a condominium unit;	10917
(9) Occupancy in a facility licensed as an SRO facility pursuant to Chapter 3731. of the Revised Code, if the facility is owned or operated by an organization that is exempt from taxation under section 501(c)(3) of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 501, as amended, or by an entity or group of entities in which such an organization has a controlling interest, and if either of the following applies:	10918 10919 10920 10921 10922 10923 10924
(a) The occupancy is for a period of less than sixty days;	10925
(b) The occupancy is for participation in a program operated by the facility, or by a public entity or private charitable organization pursuant to a contract with the facility, to provide either of the following:	10926 10927 10928 10929
(i) Services licensed, certified, registered, or approved by a governmental agency or private accrediting organization for the rehabilitation of mentally ill persons, developmentally disabled persons, adults or juveniles convicted of criminal offenses, or persons suffering from substance abuse;	10930 10931 10932 10933 10934
(ii) Shelter for juvenile runaways, victims of domestic violence, or homeless persons.	10935 10936
(10) Emergency shelters operated by organizations exempt from federal income taxation under section 501(c)(3) of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 501, as amended, for persons whose circumstances indicate a transient occupancy, including homeless people, victims of domestic violence, and juvenile runaways.	10937 10938 10939 10940 10941 10942
(D) "Rental agreement" means any agreement or lease, written or oral, which establishes or modifies the terms, conditions,	10943 10944

rules, or any other provisions concerning the use and occupancy of residential premises by one of the parties.

(E) "Security deposit" means any deposit of money or property to secure performance by the tenant under a rental agreement.

(F) "Dwelling unit" means a structure or the part of a structure that is used as a home, residence, or sleeping place by one person who maintains a household or by two or more persons who maintain a common household.

(G) "Controlled substance" has the same meaning as in section 3719.01 of the Revised Code.

(H) "Student tenant" means a person who occupies a dwelling unit owned or operated by the college or university at which the person is a student, and who has a rental agreement that is contingent upon the person's status as a student.

(I) "Recreational vehicle park," "recreation camp," "combined park-camp," and "temporary park-camp" have the same meanings as in section 3733.01 of the Revised Code.

~~(I)~~(J) "Community control sanction" has the same meaning as in section 2929.01 of the Revised Code.

~~(J)~~(K) "Post-release control sanction" has the same meaning as in section 2967.01 of the Revised Code.

(L) "School premises" has the same meaning as in section 2925.01 of the Revised Code.

(M) "Sexually oriented offense" and "child-victim oriented offense" have the same meanings as in section 2950.01 of the Revised Code.

**Section 4.** That the existing versions of sections 109.42, 2152.02, 2152.19, 2743.191, 2929.01, 2929.13, 2929.19, 2929.23, 2950.01, 2950.99, and 5321.01 of the Revised Code that are

scheduled to take effect January 1, 2004, are hereby repealed. 10974

**Section 5.** Sections 3 and 4 of this act shall take effect 10975  
January 1, 2004. 10976

**Section 6.** The provisions of this act are severable. If a 10977  
codified or uncodified section of law contained in this act or a 10978  
provision or application of such a section is held invalid, the 10979  
invalidity does not affect any other codified or uncodified 10980  
section of law contained in this act, or any related codified or 10981  
uncodified section, or any provision or application of any such 10982  
section, that can be given effect without the invalid section or 10983  
provision or application. 10984

**Section 7.** (A) Section 2919.24 of the Revised Code is 10985  
presented in Section 1 of this act as a composite of the section 10986  
as amended by Am. Sub. S.B. 3 of the 124th General Assembly and 10987  
Am. Sub. S.B. 179 of the 123rd General Assembly. Section 2929.13 10988  
of the Revised Code is presented in Section 1 of this act as a 10989  
composite of the section as amended by both Am. Sub. H.B. 327 and 10990  
Sub. H.B. 485 of the 124th General Assembly. Section 2929.19 of 10991  
the Revised Code, effective until January 1, 2004, is presented in 10992  
Section 1 of this act as a composite of the section as amended by 10993  
both Sub. H.B. 170 and Sub. H.B. 485 of the 124th General 10994  
Assembly. Section 2950.08 of the Revised Code is presented in 10995  
Section 1 of this act as a composite of the section as amended by 10996  
both Am. Sub. H.B. 180 and Am. Sub. S.B. 160 of the 121st General 10997  
Assembly. The General Assembly, applying the principle stated in 10998  
division (B) of section 1.52 of the Revised Code that amendments 10999  
are to be harmonized if reasonably capable of simultaneous 11000  
operation, finds that the composites are the resulting versions of 11001  
the sections in effect prior to the effective date of the sections 11002  
as presented in Section 1 of this act. 11003

(B) Section 2152.02 of the Revised Code, effective January 1, 2004, is presented in Section 3 of this act as a composite of the section as amended by both Am. Sub. H.B. 400 and Am. Sub. H.B. 490 of the 124th General Assembly. Section 2152.19 of the Revised Code, effective January 1, 2004, is presented in Section 3 of this act as a composite of the section as amended by both Am. Sub. H.B. 400 and Am. Sub. H.B. 490 of the 124th General Assembly. Section 2743.191 of the Revised Code is presented in Section 3 of this act as a composite of the section as amended by both Sub. H.B. 427 and Am. Sub. S.B. 123 of the 124th General Assembly. Section 2929.13 of the Revised Code, effective January 1, 2004, is presented in Section 3 of this act as a composite of the section as amended by Am. Sub. H.B. 327, Sub. H.B. 485, and Am. Sub. S.B. 123 of the 124th General Assembly. Section 5321.01 of the Revised Code, effective January 1, 2004, is presented in Section 3 of this act as a composite of the section as amended by both Am. Sub. H.B. 490 and Sub. H.B. 520 of the 124th General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composites are the resulting versions of the sections in effect prior to the effective date of the sections as presented in Section 3 of this act.

**Section 8.** Sections 1923.01, 1923.02, 1923.051, 5321.01, and 5321.03 of the Revised Code, as amended by this act, and sections 2950.031 and 5321.051 of the Revised Code, as enacted by this act, apply to rental agreements entered into on or after the effective date of this act.

**Section 9.** This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that



it is crucial for this state to make the changes in this act as 11035  
soon as possible, in order to expand the protections and 11036  
information afforded residents of this state regarding offenders 11037  
who commit sexually oriented offenses or child-victim oriented 11038  
offenses and in order to comply with the federal Jacob Wetterling 11039  
Crimes Against Children and Sexually Violent Offender Registration 11040  
Act and standards adopted under that Act and receive related 11041  
federal funding that is contingent upon compliance. Therefore, 11042  
this act shall go into immediate effect. 11043